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PROPORTIONAL REPRESENTATION
IN IRELAND.

PROPORTIONAL REPRESENTATION IN IRELAND.

BY

JAMES CREED MEREDITH,

LITT. D., T.C.D.

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CONTENTS.

	PAGE
PREFACE,	ix
CHAPTER I.	
PROPORTIONAL REPRESENTATION UNDER THE GOVERN- MENT OF IRELAND BILL,	1
CHAPTER II.	
THE CASE FOR PROPORTIONAL REPRESENTATION IN IRELAND,	8
CHAPTER III.	
SYSTEMS OF PROPORTIONAL REPRESENTATION OPEN FOR ADOPTION UNDER THE PROVISIONS OF THE GOVERN- MENT OF IRELAND BILL,	36
CHAPTER IV.	
THE FRENCH SYSTEM OF PROPORTIONAL REPRESENTA- TION,	59
CHAPTER V.	
THE SINGLE TRANSFERABLE VOTE SYSTEM,	83
CHAPTER VI.	
COMPARISON OF DIFFERENT SYSTEMS,	103

APPENDIX A.

	PAGE
AGGREGATE VALUE OF MAJORITIES OBTAINED BY DIFFERENT PARTIES AT ELECTIONS,	125

APPENDIX B.

PROPORTIONAL REPRESENTATION ELECTION, IRELAND, 1911—RESULT SHEET,	130
--	-----

APPENDIX C.

RULES FOR THE TRANSFER OF VOTES AND FOR ASCER- TAINING THE RESULT OF THE POLL (BEING THE SECOND SCHEDULE TO THE PROPORTIONAL REPRE- SENTATION BILL, 2 & 3 GEO. 5),	132
---	-----

APPENDIX D.

RULES FOR THE DISTRIBUTION OF SEATS, FOR THE TRANSFER OF VOTES, AND FOR ASCERTAINING THE RESULT OF THE POLL, UNDER THE MODIFICATION OF THE BELGIAN SYSTEM RECOMMENDED FOR ADOPTION,	152
INDEX,	161

PREFACE.

THE discussion to which the following pages are devoted is inspired by the same idea as appears to have inspired an article which recently appeared in an English magazine under the title "Proportional Representation—What is it?"—the idea, namely, that the recognition of the principle of proportional representation in the Government of Ireland Bill may possibly have given rise to a nascent desire on the part of a few electors to know what proportional representation means and what party is intended to be prejudiced by it.

Proportional representation is generally supposed to be something that could only appeal to persons of a peculiarly academic turn of mind. But the truth is that we have long been in enjoyment of a system of proportional representation without knowing it. Hence, instead of asking what proportional representation is, it would be more appropriate to ask, by what sort of an electoral system it would be entirely excluded. The question is easily answered. If the whole country formed one single constituency, and if each elector could vote for 670 members, a party having a majority of one might return the whole 670 members. The minority would be completely unrepresented. Such would be the electoral system that would entirely exclude proportional representation. But if each of

the constituent countries in the United Kingdom formed a separate constituency, and if each elector could vote for as many members as his country returned representatives, there would be proportional representation as between the different countries, though not as between the different parties in each country. Our present system, however, goes further than this. It divides each country into a number of constituencies, with the result that the geographical distribution of parties works out a representation that is roughly proportionate to party strength. Thus, in Ireland, North, South, and East Belfast, and a few other aristocratic constituencies, are able to return members to represent the wealth, intelligence, culture, and toleration of the enlightened minority; the remaining constituencies being left to return members to represent the blind prejudices and superstitions of the uneducated masses. And if none but Unionists could live in certain counties in Ulster, and none but Nationalists in the remaining counties of Ireland, then, supposing there were no anomalies of distribution, our present system would be a perfect system of proportional representation. But, as matters stand, more Unionists are able to live in the Nationalist counties than there are Nationalists able to live in the Unionist counties. The result is that the Unionists are under-represented; and so the system has to be changed in order to make the balance fairer when the Union is abolished.

But to devise a better system of proportional representation than the present is a difficult matter. At first sight it might seem sufficient to make the whole

country one single constituency and to give each elector only one vote. Any candidate, then, who obtained the requisite proportion of votes would be elected and the minority could secure representation. But, apart from difficulties arising from the size of such a constituency, there would be the difficulty that some candidates would receive far more votes than they required, and these votes would be wasted. The plan would not work unless the secrecy of the ballot were abolished, and each elector given a ballot-paper which he might sign and hand to his would-be representative, who would go about the country collecting votes until he obtained the requisite number, or, failing this, transferred them in despair to some other candidate. Perhaps on some other planet proportional representation is worked out on these lines; but on this planet we are so sensitive on the point of the secrecy of the ballot, and the impropriety of allowing an elector to derive any immediate concrete benefit from his vote, that we must abandon the straight road and try to get home as best we can by a devious path.

The first concession that must be made to expediency consists in a reduction in the size of the constituencies. The concession is easy to make, but its consequences are serious. A distortion of the features of a theoretically perfect system at once results. A minority that might return a substantial representation if the country were a single constituency, might, when it is divided into comparatively small constituencies, not be sufficiently concentrated in any one constituency to secure the return of a single member. Further, there

is the difficulty that, since candidates, unfortunately, cannot be cut up into pieces, but must be returned whole and entire, only a rough approximation to a proportionate division of seats can be attained. Obviously the fewer members the constituencies are made to return, the more the principles and assumptions which underlie our present system have again to be trusted to work out a fair result.

Accordingly, when we speak of the adoption of the principle of proportional representation, all we can mean is the adoption of a system that purports to secure proportional representation with a greater degree of accuracy than the present system. The question is only one of degree.

The various systems that attempt to surmount the practical difficulties of the problem may be divided into two main classes.

Some systems, recognizing that the problem is to secure representation proportionate to party strength, do not hesitate to recognize explicitly the existence of party distinctions: others, while attempting to secure the same object, refuse to admit openly the very fact to which they owe their existence. At the root of the latter there seems to lie, therefore, a certain self-deceit. Which type of system appeals most to the people of a particular country may, consequently, depend to some extent on the native frankness or hypocrisy of the national character.

With systems of the former class one or more candidates for a constituency may stand on the same list, and the seats are primarily distributed between

the lists. This ensures the seats being divided, as far as possible, fairly between the parties. Different methods are adopted by different systems for determining the candidates to be returned from the several lists.

Systems of the second class differ widely. One extreme type is our present system, which relies entirely on the number and variety of the constituencies. Another extreme type is that known as the single transferable vote system. It gives a seat to each candidate who obtains a certain proportion of votes, and gets over the difficulty of a candidate receiving too many or too few by allowing the elector to indicate what is to become of his vote should it fail to be effective for any particular candidate.

Part of the object of the present work is to discuss the merits of these different systems, and to inquire what particular system, of all those that would come within the provisions of the Government of Ireland Bill, would be best adapted to Irish conditions. The conclusion arrived at is in favour of a modification of the Belgian system. I regret that in endeavouring to support this view I have found it necessary to attack the single transferable vote system—the system approved by the great majority of the members of the Proportional Representation Society of Ireland, of which Society I am myself a member and chairman of the Technical Sub-Committee. But the rules of the Irish society, as also those of the English, provide that membership “does not imply the acceptance of any particular system.” Further, I think I have left

no doubt as to my soundness on the point that, whatever can be said against the single transferable vote, it is incomparably better than the present system—especially in the case of a country in which the present system cannot rely on a very large number of constituencies between which a considerable heterogeneity exists, as it can in the case of the United Kingdom taken as a whole. Those who regard the question of proportional representation as of merely academic interest do not seem to realize that the assumptions on which our present system rests will have no application whatever to Ireland as a separate unit. Whatever party in the Irish House of Commons depends most for its support on the urban population will be bound to regard the extension of the principle of proportional representation as one of the utmost practical importance. If I thought that striking a dissentient note would in the least degree prejudice the main issue, I should willingly keep my views to myself, as I did at a time when criticism of the system advocated by the majority might have been injurious; but at present what is of most concern is that the experiment on the nine constituencies should be a complete success. This I am convinced will depend largely on the system adopted by Order in Council.

My attack on the single transferable vote system is by no means confined to its complexity. I deny that it is even theoretically the best system. On the contrary, it seems to rest on principles and assumptions that are entirely inapplicable to Parliamentary elections.

The chief controversial point urged by advocates of that system, when comparing it with others, is the freedom which it gives to the elector. But the alleged freedom is in truth a compulsion to indicate a number of possibly unreal preferences, under penalty of losing the prospect of determining the fate of the last seat or seats in the constituency—a prospect which list systems secure quite simply. Further, this point wholly ignores the freedom of the candidates. If there are to be several seats in a constituency, why should the candidates not be free to come before the electors in the way in which they intend to come together in Parliament if elected? The proper freedom for the electors is the freedom not to vote for candidates who associate in a particular way, but to run a candidate of their own who will stand on a separate list as a figure of one.

But what seems mainly to influence the minds of the most enthusiastic supporters of the single transferable vote is the firm belief that that system provides a means by which a Parliament could be elected consisting of the best men irrespective of party, and that the “caucus” would be helpless. Quite a number of these thinkers seem to have caucus on the brain. They fail to see that even the proportional representation societies are in each case run by a caucus—and very successfully run. As for the idea of adopting a particular system of proportional representation in the hope that it may enable the best men to be elected irrespective of party, it is doubtful if anything has done more to delay the recognition of the principle

than its association with this fantastic notion. The best men for an Irish Parliament will be the men whose policy is one—well, this is not a political essay.

My thanks are due to the members of the Young Ireland Branch of the United Irish League who have discussed the merits of the various systems at several meetings of the Branch, and many of whom have given me the benefit of valuable criticisms, and also to Mr. J. H. Humphreys, M. La Chesnais, and M. Lachapelle, with whom I have had some correspondence on different points. I am also indebted to my colleagues of the Executive Committee, or caucus, of the Proportional Representation Society of Ireland, for deciding not to make any public pronouncement against list systems until they have heard what I have to say in their favour. I wish also to thank Mr. J. T. Gibbs of the University Press for the care and expedition with which the work has been brought out.

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16 HERBERT PLACE,
DUBLIN.

June, 1913.

PROPORTIONAL REPRESENTATION IN IRELAND.

CHAPTER I.

PROPORTIONAL REPRESENTATION UNDER THE GOVERNMENT OF IRELAND BILL.

THE Government of Ireland Bill, as amended, adopts the principle of proportional representation for the election of senators and also, in the case of constituencies returning three or more members, for the election of members of the Irish House of Commons.

The material clause in the case of the Senate is clause 8, (2), which reads as follows:—

The election of senators shall be according to the principle of proportional representation, the electors being the same electors as the electors of members returned by constituencies in Ireland to serve in the Parliament of the United Kingdom, and each elector having one transferable vote.

His Majesty may by Order in Council frame regulations prescribing the method of voting at elections of senators and of transferring and counting votes at such an election and the mode of appointment and duties of returning officers in connexion therewith, and such regulations shall have effect as if they were enacted in this Act.

The Irish Parliament has no power to alter the above provisions, so that in respect of the Senate proportional

representation is a fixture unless abolished by an Act of the Imperial Parliament.

As to the election of members of the Irish House of Commons, clause 9, (2), provides :—

In any constituency which returns three or more members the election shall be held on the principle of proportional representation, and each elector shall have one transferable vote.

The provision for the requisite Order in Council is in this case contained in clause 45, (2), and reads :—

His Majesty may by Order in Council make such provisions as may appear to him necessary or proper for making any provisions of the election laws applicable to elections of members of the Irish Senate and the Irish House of Commons, and also frame regulations prescribing the method of voting at an election of members of the Irish House of Commons, which is held on the principle of proportional representation, and of transferring and counting votes at such an election.

But in the case of the Irish House of Commons proportional representation is not necessarily a fixture, for the same clause provides :—

After three years from the day of the first meeting of the Irish Parliament, the Irish Parliament may alter, as respects the Irish House of Commons, the qualification and registration of the electors, the law relating to elections and the questioning of elections, the constituencies, and the distribution of the members of the House among the constituencies, provided that in any new distribution the number of the members of the House shall not be altered, and due regard shall be had to the population of the constituencies other than University constituencies.

Hence, even without abolishing proportional representation in express terms, the Irish Parliament might in effect abolish it by a new distribution that would

leave no constituencies returning three or more members to which it could apply.

However, the experiment—for so it was described in Parliament—will, for the present at all events, affect the following nine constituencies:—Belfast East, five members; Belfast North and Cork City, each four members; Belfast South, Dublin (College Green), (Dublin Harbour), Dublin (St. Patrick's), Dublin County North and South, each three members, giving a total of 31 out of the 164 members.

But, just as the Irish Parliament will have power to abolish proportional representation, so far as it affects the Irish House of Commons, after three years, so also they will have power to extend it by increasing the number of constituencies returning three or more members. What course will be adopted will presumably depend largely on the success of the above experiment.

If, therefore, the above provisions not alone leave the settlement of rules, in the narrowest sense of the word, to Order in Council, but also the definition, by means of the rules adopted, of the precise system of proportional representation, it is of the utmost importance that the system with which the experiment is made should be one with which there would be no risk of failure. That the system adopted should be open to criticism on the ground that, while good so far as it goes, it might be improved, would be a small matter in comparison to its being open to the charge that, while theoretically admirable, it has practical objections.

The only system of proportional representation with which the public in this country is at all familiar is

that known as the single transferable vote. Consequently it has been generally assumed that we have been definitely committed to that system. But the distinguishing feature of the single transferable vote, as a system, is, not that the elector has one transferable vote—for he has this under several systems—but that the names of the candidates are simply set before the elector in alphabetical order, and that he may mark as many preferences as he chooses. As a necessary corollary the seats are obtained by the candidates as individuals, irrespective of whether this gives proportional representation from a party point of view or not. That system takes no cognizance of parties at all, but only of persons; and so it has been plausibly argued that it is not a system of proportional representation at all. To be contrasted with that system is a whole class of systems which look to the party colour of the different candidates. As the means which such systems adopt for effecting that purpose are found in the use of lists, which show the electors how the candidates group themselves, these systems are called “list systems.” They adopt, some one, some another, method of ensuring that the seats are divided primarily between the lists according to the strength of the support which they respectively obtain. They are obviously systems of proportional representation in the strict sense of the term. Most of them restrict each voter to a single list; but some, by giving him more than one vote, and allowing him to distribute his votes between different lists, allow him perfect freedom in this respect. Systems of the latter class, since they give

the elector more than one vote, are expressly excluded by the Bill. But list systems of proportional representation which give the elector one transferable vote—and there are several such—obviously come within the terms of the Bill.

In most of the countries which Lord Courtney cited, when he came over here and founded our Proportional Representation Society—which has done such admirable propagandist work—as countries in which proportional representation has been tried with conspicuous success, it is list systems which are in use. The single transferable vote is, in fact, practically confined to two English-speaking countries, namely, South Africa and Tasmania. The system is of English manufacture, having been invented by Mr. Hare and supported by John Stuart Mill; and it is largely on this ground that it is preferred in England. Thus Mr. Humphreys concludes his comparison of different systems with the characteristic remark: “As a common electoral method for the British Empire is a desideratum in itself, the balance of advantage, at least for English-speaking peoples, would appear to be with the single transferable vote.” That is the point on which Mr. Humphreys, the leading English authority on the subject, relies to turn the scale against list systems one and all. The single transferable vote is to be the all-red system.

But will the fact that the single transferable vote is intended to be an all-red system ensure the success of the experiment of proportional representation in Ireland? Unfortunately the last number of the official P. R. publication “Representation” brings us the tidings

that proportional representation has been abandoned in the Transvaal. That pamphlet says: "The reasons which were alleged for this astonishing, and it would seem in the face of prevailing opinion of which evidence is given below, almost arbitrary act, were first, that people did not understand it; and second, that it encouraged party politics in municipal life." I confess I do not believe that those were the real reasons. There were sinister motives. But the complexity of the system seems to have afforded a plausible *pretext*. This suggests that it would be better to choose a system that would not afford such a convenient pretext. But the above is not all. The single transferable vote system has met with severe criticism in Tasmania, the other country where it is in use. The same publication tells us that "Mr. Piesse, who has been intimately associated with the conduct of elections in Tasmania, has suggested, in a letter to the press, that a list proportional system might overcome such difficulties as arise from the inter-competition of members of the same party." As Mr. Piesse is a leading authority on the subject, and has had intimate experience of the working of the system, the above expression of opinion is most significant.

If, then, the terms of the Bill leave any choice in the matter of systems, the above facts should suggest to the public not to be too clamorous in their demands for the selection of the single transferable vote.

But there is another strong ground on which a list system has claims to consideration. For the election of senators each province forms a single constituency.

Now to poll the whole of Ulster, say, as a single constituency returning fourteen members, would be a practical impossibility on the single transferable vote system. If, on the other hand, the Belgian system were adopted, there would be no difficulty. As the Report of the Royal Commission says: "The counting of votes is easy and expeditious. Moreover neither the voter's nor the returning officer's tasks are materially affected by the size of the constituency. The system works as smoothly in Brussels, where 200,000 electors return twenty-one members as one constituency, and 300,000 votes (owing to the plural vote) have to be counted, as in districts returning two or three members."¹ And even if the Belgian system were modified by the use of the single transferable vote system to determine the choice of candidates from the respective lists, the task, though difficult, would be reduced to practicability. When the Order in Council comes to be framed, this consideration alone will probably outweigh the all-red idea.

These few preliminary remarks will, it is hoped, be sufficient to induce the reader to preserve an open mind until the different systems coming within the provisions of the Bill have been examined, and their respective merits compared.

¹Report of the Royal Commission appointed to inquire into Electoral Systems [Cd. 5163], par. 70.

CHAPTER II.

THE CASE FOR PROPORTIONAL REPRESENTATION IN
IRELAND.

To attempt a statement of the case in favour of the general principle of proportional representation is not a particularly inviting task. For if mere argument could have ensured success, the justice of the principle would have been long since universally recognized, and the only question that could be at issue would be one as to the best system for carrying it into effect. All that the force of logic could do was done as far back as 1866 by J. S. Mill in his work on Representative Government. And even if anything more could be done, it would be superfluous labour, since it is not counter-arguments, but a sort of genial indifference and good-natured apathy, that block the path of progress.

As far, then, as the general principle is concerned, it is sufficient to point out that if the ideal of representative government is acknowledged, the principle of proportional representation must be approved as the only means by which it can be attained with certainty. If there is to be, let us say, one representative for every 25,000 electors, then every 25,000 persons in the electorate who share the same political views ought to be able to secure the return of one representative. This simply means that representation in a representative assembly ought to be such as, in Mirabeau's phrase, to

produce "a reduced map" of the country in its political aspect; and abstract theory has nothing more to say.

Conversely the present system is in theory altogether indefensible. Strictly speaking, it does not even attempt a direct representation of the whole body of the electorate. On the contrary, it divides the electorate into local constituencies, and gives representation to the majority in each constituency; and it trusts to the geographical distribution of parties being so favourable as to happen to work out a fair proportion between the parties. If the majority of the electorate support a particular party, it is said that the chances are that that party will be in a majority in the majority of the constituencies, and, on the other hand, that the minority will secure fair representation by being in a majority in a fair proportion of the constituencies. The standpoint is admirably stated in the Report of the Royal Commission: "A single-member system claims at most to secure, by the laws of average and probability, a rough indication of the relative strength of parties of comparable size, and to provide for small parties, interests, and pursuits the widest possible range of opportunity of obtaining a hearing in Parliament. . . . It does not profess to assure representation to minorities, to give an absolutely accurate result, or to represent all parties, groups, and interests in proportion to their strength."¹

¹ Report, par. 28. But no system proposes to give an absolutely accurate result. The above defence of the present system is a defence of it as a rough-and-ready system of proportional representation based on probabilities.

In the abstract, therefore, a single-member system leaves the representativeness of the alleged representative assembly entirely to chance. For there is no reason in the nature of things why the party which has a majority in the electorate as a whole might not have a majority in each constituency. Indeed, this happened in Australia. At the Senate Elections in 1910, the Labour Party polled 2,021,090 votes, and obtained eighteen seats, while their opponents, who polled 1,997,029 votes, obtained none. The theory of the single-member system, as the Report of the Royal Commission states, is "that by the division of the electorate into the maximum number of units, the local anomalies which are bound to occur will be made to neutralize one another, and a fair result, on the whole, thus secured."¹ But what upset the system in the case instanced was not anomaly, but the entire absence of anomaly. The party which was in a slight majority was in a slight majority everywhere. The system assumes, not alone a great number of constituencies, but also a very great diversity and heterogeneity in the character of the constituencies.

Also, there is in general no reason why the majority might not be mainly concentrated in a comparatively small number of constituencies, where they would obtain overwhelming majorities, and be in a slight minority in the remaining constituencies; and so only obtain in the aggregate a minority of seats. Such a result might easily occur if the parties were

¹ R. C. Report, par. 31.

divided by reason of a conflict between urban and rural interests.

The theory of the single-member system further rests on the false assumption that a minority in one constituency is adequately compensated for not securing a representative of its own by reason of a member of the party which it supports being returned by a majority elsewhere. The more deeply legislation cuts into the social life of the community the more false does this assumption become. Besides, it runs absolutely counter to the assumption, on which the Royal Commission laid such stress in considering the case against proportional representation, of the enormous value of the intimate personal connexion between a member and a small constituency. For the same reason a run of bad luck in one part of the country is not adequately balanced by a run of good luck for the same party in another part. If Scotch Unionists are under-represented, they are not fully compensated by English Unionists being over-represented. No system of proportional representation subordinates personal and local considerations to the mere question of the relative aggregate strength of two great parties to an extent in any way approaching that implied in the defence of the single-member system in respect of its treatment of the minorities in all constituencies, or, in other words, in respect of its treatment of nearly one half of the electorate.

So much for theory. It is only when we take actual facts into consideration that it seems at all possible to allow that there can be two sides to the question. Let us now consider matters from the practical point of view.

To ensure proportional representation attaining the maximum of accuracy, the whole electorate should, as in Mr. Hare's scheme, form one single constituency. But not alone would such a plan be practically unworkable, as a matter of mere machinery, but the elector, whose ballot-paper would consist of quite a book of names, in which he would have to indicate several hundred preferences, would be set such a hopelessly difficult task that in practice he would be unable to exercise the freedom which he would enjoy in theory. Hence subjective causes would prevent the elected assembly from being really representative. But the smaller the constituencies are made the more closely the scheme by which proportional representation is sought to be attained approximates to the present system, and the less reliable does it become. Thus proportional representation would hardly give to the Unionists of Munster and Connaught a single representative if the constituencies were so small as only to return three members. Then four-member constituencies, or, in fact, constituencies returning any even number of representatives, are unsatisfactory, wherever parties are fairly evenly balanced. If, for instance, in a four-member constituency one party polled 29,998 and the other 20,002 votes, each would obtain two seats. Yet 9,996 is a very respectable majority out of 50,000. Thus the Report of the Royal Commission states: "On the whole, it appeared that the system, if adopted, would produce the best results on the basis of an average constituency of about seven members."¹ Again, "It is

¹ R. C. Report, par. 79.

agreed that if the scheme is to work to the best advantage, constituencies of seven or nine members are at least necessary, and that results adequate to the importance of the change cannot be expected from constituencies of less than five."¹ The Proportional Representation Society of Ireland was, therefore, well advised in making its Model Election one for a constituency supposed to return seven members. Yet the schedule of constituencies which it recommended to the Government only included six constituencies returning seven or more members. The constituencies to which the principle of proportional representation applies under the Government of Ireland Bill all return less than five members, except Belfast East, which returns five.

Thus, since any workable scheme of proportional representation must let in the element of chance to a greater or less extent, according to the size of the constituencies, the question of merit and demerit is reduced to a mere question of degree. The most that proportional representation can do is to reduce existing evils.

But, what is far more serious, certain positive practical objections have been urged against proportional representation. These will be found in the statement of the "Argument against the Proposal" contained in pars. 102-114.

The statement begins with an interesting observation: "The case for the opposition, which was necessarily

¹ R. C. Report, par. 110.

obtained with greater difficulty in the absence of an organization to focus it, may be summarized somewhat as follows." This means that there was admittedly no effective opposition to the proposal on the part of the public—an admission which must be borne in mind when reading the paragraph in which the Royal Commission give the *coup de grâce* to the suggestion even of a modest experiment:—"Lastly, we may observe that we have carefully considered the question of trying an experiment with the transferable vote, by applying it first in a few constituencies. Such a step would no doubt be advisable as a final test before committing the whole country to so radical a change as the system involves; but the opposition to be expected in the areas selected for the trial would be too serious to be faced without a strong backing of public opinion in the country at large."¹ The truth is that there was and is no effective opposition to the proposal. If, on the other hand, the backing of public opinion in favour of the proposal is not very large, but rather confined to the more or less intellectual members of the community, it is mainly because the subject is by nature somewhat technical; and the general public suppose it to be of little or no practical concern, since it is not included in any party programme, and the politicians do not include it in any party programme because the absence of public backing makes it of no practical concern to them. But experience in France and elsewhere tends to show that the proposal becomes very popular indeed when once it is actively

¹ R. C. Report, par. 136.

taken up by party politicians, and thus at a stroke brought "within the region of practical politics." In Ireland the application of the principle of proportional representation to the Senate and to nine constituencies only for the Irish House of Commons could hardly be expected to raise any great outburst of popular enthusiasm; but it has evoked a certain amount of satisfaction, and no opposition whatever.

The "Argument against the Proposal" begins by showing that at no recent election did the defects of the present system work so great an injustice that a minority in the country at large secured a majority of seats. A curious statement then follows:—"Moreover, the chance, such as it is, would not be removed—perhaps would be increased—by proportional representation; for inasmuch as majorities in the House would be reduced and the margin between victory and defeat therefore smaller, the capricious effect of the interference of the small party or the independent candidate in this or that constituency might at any time outweigh a balance of strength in favour of one of the two principal parties as against the other."¹ The Royal Commission seems to have overlooked the fact² that

¹ R. C. Report, par. 104.

² It should be noted that the Commission repudiated any responsibility for the assertions contained in the arguments for and against the proposal. "It must be clearly understood that we take no responsibility for any assertion in the following paragraphs up to paragraph 114, inclusive, which are merely a condensation of arguments used on both sides in evidence before us, and in such of the voluminous literature of the subject as we have consulted" (par. 88). That is all very well; but behind

the small party and the independent candidates represent sections of the electorate just as much as members of the two principal parties, and if they are not to be allowed to turn the scale between the two principal parties when fairly evenly balanced, and if the majority of one of the two principal parties is to be artificially exaggerated in order to prevent such a result, there is then no reason why the vote in the House should reflect the views of the electorate. As the Royal Commission held that the balance might frequently be turned by such a section of the elected representatives of the community under proportional representation, when it would not be turned where the majority of one of the principal parties is artificially exaggerated, they in effect held that under the present system the majority vote in the House might only represent a minority in the country.

The paragraph above quoted is written with an air of such profundity that I cannot resist the temptation to refer to a couple of other passages that expose its latent weakness. As it is not suggested that the independent member is not returned by a proper quota, it must be his own peculiar character that disentitles him to turn the scale between evenly balanced parties. He is described by the Royal Commission in the following paragraph:—"The fate of minorities is shared by a class to which many witnesses attached great

all the assertions there is what theologians call the "inspiration of selection." Further, we have to look to the "Argument against the Proposal" to discover what really influenced the Commission in their adverse decision.

importance—the independent member. This type of representative, which includes men of distinction and intellectual power who are not prepared to accept the limitations imposed on their freedom of action by the acceptance of party support, or who differ from both parties on points which the authorities of each consider vital, is at present, it is alleged, practically debarred from obtaining a seat in the House. And yet these men, if elected, would form an invaluable element, both by their personal merits and because, being open to persuasion as the ordinary member can hardly be said to be, their votes would be available alike in support of reasonable legislation, and as a check on rash and partisan proposals.”¹ Now, since this independent and “invaluable element” is from the nature of the case small, it could hardly interfere with the balance between the principal parties unless it were absolutely united. We are then gravely asked to dread the consequences that would arise if the principal parties were nearly equal in strength, and the invaluable element were to turn the scale in favour of the one that had slightly fewer members than the other. It would be better, forsooth, that the slight majority of the larger party should be exaggerated so as to avoid such disastrous consequences. But the absurdity and inconsequence of the contention reach their climax when considered in connexion with the second condition under which the Royal Commission thought it would become absolutely necessary to adopt proportional representation.

¹ R. C. Report, par. 97.

“Another such condition is an equal balance of parties, particularly in a small community. If the equality of balance is persistent, discontent will be caused by the inaccuracy of the majority system, which in such circumstances may not infrequently cause the return of a majority by a minority of votes.”¹ But it was precisely where parties are evenly balanced that the Royal Commission would have us dread the serious consequences of the action of independent members.

Still weighing the same contention, we must remember that the body of the electorate which, by turning over from one side to the other, is able to produce an exaggerated effect on the balance of parties, is the comparatively small body of moderate and independent voters. Why the exaggerated influence of a comparatively small number of independent *voters* should be prized so highly, and the normal influence of the comparatively small number of independent members—presumably returned as the *representatives* of that body—so greatly feared, is a point on which the Report of the Royal Commission throws no light.

But the contention under criticism might have been replaced by one with an air of greater plausibility and sincerity. It would have been easier to follow the argument if it had run on the following lines:—“Now *if* the small party or the independent members are really *representative* of a section of the electorate in the same way that the members of the two principal parties are, there can be no objection to their deciding an issue

¹ R. C. Report, par. 120.

between those parties. But the decisive effect of late preferences under the single transferable vote has been pointed out. Hence there is a danger that under that system the balance of power may be held by a small body of independent members returned for last seats in large constituencies by means of such late preferences, and perhaps with less than a full quota." That there would have been some force in such a contention must be allowed; and that is one of the main reasons why a list system is here advocated in preference to the single transferable vote.

Having shown that the tendency of the present system is in practice simply to exaggerate majorities, the "Argument against the Proposal" is pursued further. "On the other hand, the exaggeration of majorities is as a rule no evil. Excessive majorities of course occur, but they bring their own corrective against tyranny in increased independence; and they are at least preferable to insufficient majorities. The advocates of the transferable vote remind us that the object of a representative government is to represent; but the object of representative government is not only to represent, but to govern. The greatest evil that can befall a country is a weak executive; and if a strong one can only be obtained at the cost of mathematical accuracy of representation, the price should be willingly paid. The table produced above to show the discrepancies between the actual and the justified majorities tells its own tale. What would be the existence of Governments which consented to take office with the majorities there shown:—18 in 1886; 40 in 1892;

2 in 1895; 2 in 1900?"¹ It cannot be doubted that the above point weighed strongly with the Royal Commission; and it is certainly deserving of the fullest consideration.

First of all, the table above referred to is open to serious criticism. Admitting that the tendency of proportional representation is to decrease majorities, it must be pointed out that the tendency is decreased the smaller the constituencies, for the tendency is due to the fact that under proportional representation the number of constituencies is lessened, and small majorities are lumped into single quotas. Now, the author of the table, Mr. J. Rooke Corbett, took Ireland, Scotland, and Wales, as if each were to be a single constituency, although no one proposed that such an absurd course should be adopted in practice. His English constituencies returned about 46 members each. He thus succeeded in showing a greatly exaggerated discrepancy; but his success was the ruin of his cause.²

Undoubtedly the function of a representative government is not merely to represent, but to govern; and, undoubtedly, in order to govern, the government must have a workable majority. But just as a variety of tendencies operate to prevent any party in a representative government from holding office indefinitely, so a variety of tendencies operate to give governments workable majorities, except in rare cases, and such cases will arise under any system. Proportional representation

¹ R. C. Report, par. 105.

² For calculations made on a different basis, see Appendix A, *infra*.

would introduce modifications into existing conditions, and the pendulum would swing as before, and would bring in different parties in turn with adequate majorities.

However, the question is not one of mere theory and speculation. One would think from the remarks of the Royal Commission in the above connexion that it was only the English Parliament that managed to govern, and that the Parliaments of other countries only managed to represent. Whether Parliaments of the many countries that adopt proportional representation—and they now include Japan—are able to govern or not, is a question that may be left to the reader to answer, as also the character of the government which results from the English mode of representation ; but the following comment on the uniqueness of that mode may be cited:—“ It is a remarkable fact that, while the single-member constituency is very general in Europe, the relative majority method is practically confined to English-speaking countries. All the great European States, and most of the smaller ones, have rejected or abandoned it. Our singularity in this respect may be simply due to the antiquity of our representative institutions, which date from times of rough-and-ready expedient, or to the two-party system, which tends to limit candidatures, and thus to obliterate the distinction between relative and absolute majority ; but whatever the cause, it is an eloquent testimony to the severity of the criticisms to which the method is open. As a matter of fact, it has the most serious defect with which a method of election can be charged ;

in a contingency which has recently grown commoner it actually promotes the return of the *least* popular candidate.”¹

The “Argument” then continues:—“Moreover, under proportional representation the position would be even worse than is indicated by these figures, which only show the results that would have occurred if the single-member system had effected an accurate reproduction of the relative forces of two parties. But it is an important part of the case for the transferable vote that larger constituencies would secure representation for other minorities besides the unsuccessful Liberals or Conservatives, and the return of independent members as well. If the system succeeded in this object, the Government of the day would not only have to work with an insufficient majority over the official opposition, but it would be at the mercy of small parties, either singly or in coalition. For two-party government, in short, would be substituted the habitual practice of government by *bloc*.”² But what is the present Government, which has survived since 1906, but a coalition Government? The old simple division between Liberals and Conservatives has been complicated, and a system of proportional representation cannot fairly be asked to provide a scheme adapted to the existence of more than two parties, and yet preserve intact the system of two-party government which has ceased to exist.

¹ R. C. Report, par. 12.

² *Ibid.*, par. 105.

The scheme is then charged with certain insuperable difficulties. "Faced with the new requirements—the arrangement of an indefinite number of names, out of a list of ten or fifteen, in the order of his preference, by placing numbers against them, and not a cross or crosses, as he has been accustomed to do—what will be the elector's position? A certain number will, it may be, make a cross as before, perhaps against the top name on the list, perhaps against the name of a man on their own side whom they know or have heard speak. They will vote, in fact, more or less at random, and make no use of the preference system at all."¹ As a list system, and one which preserves the right to vote by merely placing a cross opposite a candidate's name, is here advocated, and not the transferable vote, it is not necessary to minimize the above objection.

The next point made is that of the increased expense occasioned by the greater size of the constituency to be contested. "For the great parties this would not be of much importance, as they would presumably run a number of candidates nearly equal to the number of seats; and if these agreed to divide the constituency between them, their individual expenses would probably not be much affected.² But the smaller the party, the less candidates it would run, and the greater the cost per head; while for the independent candidate (except, perhaps, a local man with a strong following in one part of the constituency—by no means necessarily a valuable

¹ R. C. Report, par. 109.

² In other words, they would in practice stand as a list.

addition to the House of Commons), the cost would be practically prohibitive." It will be remembered that it was these small parties and independent candidates that the proposed scheme was supposed to let in, and which are admittedly crushed altogether by the present system. In *their* interests, then, a system is to be preserved which annihilates them entirely, in preference to one which does them the injustice of increasing the expense which they have no opportunity of incurring at present. But, besides, the independent candidate whom it is hoped to benefit by proportional representation, is one of conspicuous merit, and one whose reputation is not merely local. Such a candidate would, *ex hypothesi*, not have to nurse his constituency, or canvass to the same extent as a less-known individual. It is difficult, therefore, to see how his expenses could be so very great. In addition, such men can generally command sufficient financial backing. If proportional representation only let in the few such independent candidates, it would be a recommendation to it from the point of view of the Royal Commission so far as consistently expressed.

The "Argument against the Proposal" was preceded by a very fair statement of the "Argument in favour of Proportional Representation by means of the Transferable Vote." As the arguments in favour of proportional representation for Ireland will be considered below, it is not necessary to refer to that statement further than to mention that *not a single one of the arguments applies specially to the single transferable vote*. The argument is a general argument in favour of proportional representation. It is only the statement

of the case *against* the proposal that contains arguments applicable only to the single transferable vote.

Apparently, the Royal Commission conceived that their only duty was to collect evidence, and then decide matters that were not controverted on either side, for the statement of the arguments for and against the proposal is followed by this observation :—" A survey of these arguments shows that a detailed analysis and evaluation of them by such a body as a Commission is out of the question."¹ This is certainly a very humble view of the functions of a Royal Commission.

On two points, however, the Commission expressed a decided view. "The only point, in fact, which is agreed upon is, that the general level of government majorities, which have only twice fallen below forty in the eighteen Parliaments since 1832, would be greatly reduced."² This point has already been dealt with. The other is the decisive effect of late preferences. This only affects the single transferable vote.

We now come to a paragraph of the Report which leads conveniently to the next part of our own inquiry—the question as it affects Ireland. "These considerations are not of course conclusive against the adoption of the scheme, for they would be valid in a greater or less degree against any large measure of reform, but they certainly suggest that a position of actual danger should be shown to exist to justify so drastic a change."³ In a parenthesis it may be observed that if dangers are not

¹ R. C. Report, par. 115.

² *Ibid.*, par. 116.

³ *Ibid.*, par. 118.

intelligently anticipated, with the advent of the actual danger may come circumstances that may make a reform extremely difficult. "In this respect the history of the adoption of proportional representation is so significant and instructive as to repay detailed examination. For it indicates some at least of the conditions which tend to produce an effective demand for the reform, others which may confer on it an especial value, and others again which may render its introduction in some form or other inevitable."¹

The first condition mentioned is that of "a large extension of the suffrage." The second is "an equal balance of parties, particularly in a small community." The Swiss canton of Ticino is cited as an instance where the existence of the second condition led to its adoption. "A Federal official sent down to pacify armed strife arising out of the distorted representation of two numerically equal parties, caused by the block vote coupled with a bad distribution of seats,"² introduced the reform. This appears to have been one of the cases where "actual danger" gave rise to a sufficiently effective demand to justify the "drastic change." As Ireland is not a very large community, and as the division of parties under Home Rule is more or less a matter of speculation, the Proportional Representation Society need not despair of emulating Ticino and working up the desired effective demand. We have ground for a reasonable hope.

An interesting paragraph follows. "A condition of

¹ R. C. Report, par. 118.

² *Ibid.*, par. 120.

the second kind, which gives proportional representation peculiar advantages, is a mixture of races or religions in a country. For the power which the system confers on minorities removes the dangers of a coincidence of political and racial or religious boundaries. We were informed that in Belgium, where the Catholic party was formerly practically identified with the Flemish-speaking districts and the Liberal party with the Walloon country, the introduction of Flemish Liberal and Walloon Catholic members, which has been rendered possible by proportional representation, has done much to mitigate the bitterness of racial and religious differences.”¹

“Conditions of the third kind, rendering proportional representation almost inevitable as the only possible way out of an *impasse*, may be looked for from certain party developments, accompanied by violence of party feeling.”² The case of Belgium is instanced. Proportional representation was introduced, and “this step, it should be added, appears to have proved, up to the present time, thoroughly successful.”

Recognizing, therefore, that the strength of the case for proportional representation varies considerably with changes of time and circumstance, the Commission very properly qualified their adverse conclusion with the following remarks:—“We desire at the same time to emphasize the exact nature and limitations of this conclusion. In other countries, or in this country at some future time, conditions may be found which

¹ R. C. Report, par. 121.

² *Ibid.*, par. 122.

enhance the merits of proportional representation and neutralize its defects. Some of the most serious dangers to be apprehended from it may arise of themselves under a single-member system; some need may be felt which can only be satisfied by proportional representation in one form or another. When or where such conditions are found—and some of them have been indicated above—the balance of advantage, and the importance of considerations which in other circumstances weigh heavily in judgment, may be entirely altered.”

The above general survey should place us in a position to consider the question with special reference to Ireland. Here it must first be remarked that the conditions that principally militate against the adoption of proportional representation in England do not exist. We are about to obtain a new constitution, and there are not the same ties binding us to antiquated, or, let us say, time-honoured, institutions, that prevail across the Channel. We have no reason to worship the single-member system simply because England is the only country of any importance that still clings to it with blind devotion. Much rather should the spirit of freedom and the pride of nationality impel us to make a praiseworthy endeavour to take the lead in the van of progress. Truly it would be no mean first fruit of liberty to possess the best electoral system in the world. We shall have this opportunity. We already have the honour of possessing the best land code in the world—one which, with all its imperfections, is being closely studied by politicians in Germany, Russia, and Japan.

But an appeal in a matter such as the present should be to reason, not to sentiment. Were we to seek the adoption of reform on any but the soundest rational grounds, all our claims to distinction would be forfeited. How, then, do conditions and circumstances in Ireland bear on the problem?

First of all, the comparatively small number of constituencies deprives us of the safeguard against the effects of anomalies that exists in the case of elections for members of the Imperial Parliament. Even a comparative elimination of the play of chance can in no way be guaranteed.

Then the safeguard which a considerable heterogeneity in the character of the different constituencies provides in the case of Great Britain and Ireland does not exist in Ireland taken separately. On the contrary, by far the greater portion of Ireland is homogeneous. This creates a grave danger of an excessive repetition of results disastrous to whatever party happens to be in the minority. There is no reason to suppose that because a defeated party has considerable support in a number of constituencies in a particular area, it will prove to be in a majority in a fair number of constituencies in a different area. The different area will probably tell precisely the same tale. The fact that under self-government the lines of party cleavage will certainly be different from what they are at present, only increases the danger; for, suppose that the anticipated changes in the division of parties resulted in an opposition of two parties, or groups of parties, supported in the country by electors in the proportion

of three to two respectively, the similarity of the conditions prevailing throughout the greater part of the country would probably lead to the smaller party obtaining little or nothing but the questionable consolation of having put up a good fight in almost every constituency. It would obtain honour, but not seats. We saw, by the way, what this led to in the Swiss canton of Ticino.

But it is not necessary to appeal merely to abstract considerations and probabilities incapable of measurement. The schedule to the Government of Ireland Bill shows that the representatives returned to the Irish House of Commons would represent urban and rural interests respectively in the proportion of 34 to 128. Looking to the comparative strength of urban and rural electors in the country as a whole, this means that urban electors are only to receive about one-half their fair share of representation. The distortion is due to the fact that the urban electors are mostly concentrated in the large cities where they have naturally no rural population to defeat, whereas the rural electors are defeating urban electors in all the other constituencies throughout the country.¹ In short,

¹ The urban electors are, in other words, "gerrymandered" out of a number of seats. This artifice is well described by Professor Commons in his work on "Proportional Representation," at p. 50: "The gerrymander is simply such a thoughtful construction of districts as will economize the votes of the party in power by giving it small majorities in a large number of districts, and coop up the opposing party with overwhelming majorities in a small number of districts." The origin of the word "gerrymander" is interesting, and is explained by

the electors in all the smaller towns can only support candidates for certain defeat. But with the formation of larger constituencies the electors in such towns could generally secure a representative. The Proportional Representation Society of Ireland has carefully investigated this aspect of the problem, and the schedule of constituencies which they prepared for the purpose of the application of proportional representation

Professor Ware in *The American Law Review*, January, 1872, in an article entitled "The Machinery of Politics":—"The term 'gerrymander' dates from the year 1811, when Elbridge Gerry was Governor of Massachusetts, and the Democratic, or, as it was then termed, the Republican party, obtained a temporary ascendancy in the State. In order to secure themselves in the possession of the government, the party in power passed the famous law of 11th February, 1812, providing for a new division of the State into Senatorial districts, so contrived that in as many districts as possible the Federalists should be outnumbered by their opponents. To effect this all customary and natural lines were disregarded, and some parts of the State, particularly the counties of Worcester and Essex, presented similar examples of political geography. It is said that Gilbert Stuart, seeing in the office of the *Columbian Sentinel* an outline of the Essex outer district, nearly encircling the rest of the country, added with his pen a beak to Salisbury, and claws to Salem and Marblehead, exclaiming, 'There, that will do for a Salamander!' 'Salamander!' said Mr. Russell, the editor, 'I call it a Gerrymander!' The *mot* obtained vogue, and a rude cut of the figure, published in the *Centinel* and the *Salem Gazette*, with the natural history of the monster duly set forth, served to fix the word in the political vocabulary of the country. So efficient was the law that at the elections of 1812, 50,164 Democratic voters elected twenty-nine Senators, against eleven elected by 51,766 Federalists; and Essex county, which, when voting as a single district, had sent five Federalists to the Senate, was now represented in that body by three Democrats and two Federalists."

to the election of all members of the Irish House of Commons gave a probable proportion of urban to rural representation of 64 to 98.¹ When we consider these facts, it becomes obvious that the fate of many social reforms much needed in Dublin and Belfast depends largely on the adoption of a system of proportional representation.²

¹ These calculations were very carefully made by Mr. E. A. Aston, the Hon. Secretary of the Society.

² In the debate on the application of the principle to the election of Senators, Mr. Birrell said: "I have always felt myself that in the Ireland of the future the distinctions would run far more between urban and rural than between Protestant and Catholic. One great advantage of the proportional representation system is that it would give the urban population, which runs some risk of being swamped, a very fair chance of securing its proper measure of representation. Let us look at these figures. They are really striking. Take Ulster. There the rural population is 943,000, as against 630,000 urban—a very considerable urban population. In Leinster you get an urban population of 577,000, as against the rural population of 580,000. There is a pretty equal balance here. In Munster the figures are 345,000 urban, as against 685,000 rural. Still there is a very substantial minority. In Connaught there is 547,000 rural, as against 61,000 urban. The urban population, considerable in all these places, gives a very considerable urban minority. The total figures are: urban, 1,613,000; rural, 2,755,000. I confess I attach very great importance in the future government of Ireland to the representation of urban interests. It may well be a distinction of Irish politics that they should be able to secure full and proper representation of the urban population in the Senate." One would think that it would be more important that they should receive proper representation in the Irish House of Commons. But the nine constituencies of the Irish House of Commons to which the principle applies are all urban constituencies, in which no protection is needed.

The point that a minority that is defeated in constituencies in one area is not always adequately represented by the member returned by electors of the same party that are in a majority elsewhere, may be urged with peculiar force in Ireland. A Unionist minority defeated in one Dublin constituency would be fairly compensated by the return of a Unionist in another Dublin constituency, but hardly by the return of one from Belfast. Those that think that proportional representation is merely a matter of theoretical interest would do well to consider whether the uncompromising attitude of the Irish Unionist party is not due to the fact that Unionists throughout the whole of Ireland are exclusively represented by members returned from Ulster constituencies. The present electoral system is directly responsible for certain existing evils; and we have no ground for assuming that the same injurious tendencies of the present system may not introduce unnecessary bitterness into political differences in the future, unless a sound electoral system is adopted. It is to be hoped, therefore, that if proportional representation is not extended by the Government of Ireland Bill to the whole of Ireland, the Irish Parliament may itself take the first opportunity of making the reform universal.

Further, certain as we may be of the ameliorating effects of self-government, we cannot overlook the existence of religious differences, and their tendency to embitter party warfare pending the development of a true national spirit. In this connexion the words of the Royal Commission Report keep ringing in our ears: "The power which the system confers on

minorities removes the dangers of a coincidence of political and racial or religious boundaries . . . In Belgium . . . the introduction of Flemish Liberal and Walloon Catholic members, which has been rendered possible by proportional representation, has done much to mitigate the bitterness of racial and religious differences."

There is another factor in the situation which further strengthens the plea for proportional representation in Ireland. Not alone is the number of constituencies in which parties are at all likely to be very evenly balanced extremely small, but, as far as can be judged, the average Irish elector is much less likely to change his allegiance than the English elector is. This may be to our credit or the reverse; but, even making all due allowances for the fact that the question of Home Rule or no Home Rule has long been the dominant issue in Irish politics, and that it has constituted a dividing-line particularly difficult to cross, it can hardly be doubted that electors in Ireland are and will be more reluctant than electors in England to move freely from one camp to another. The political complexion of constituencies in Ireland is dyed in fast colours. We have, therefore, two conditions concurring to prevent that regular swing of the pendulum on which the whole life of the English system depends. It is almost certain that in Ireland, no matter what arrangement of parties arises under Home Rule, the changes in the political map will be very gradual, and that they will spring from developments within parties, or from the growth of new parties, rather than from bodies of voters vacillating from one side to another.

Now, if this is so, a system of proportional representation is beyond yea or nay more adapted to our political conditions than the English system. The whole weight of the English system bears against the only kind of development that we have any reason to expect in Irish politics. With us it would lead to a general ossification of the whole body politic. The most we could hope for would be occasional violent disruptions, brought about partly by personal ambitions, partly by the intrigues of dissatisfied sections, and partly assisted by genuine differences too long suppressed, and leading inevitably to the most bitter ill-feeling. We need a system adapted to slowly growing developments taking their rise in changes of interest due to altered circumstances.

On the other hand, it can hardly be doubted that proportional representation, in giving representation to a large number of electors in Ireland who have never yet had the satisfaction of returning an effective vote, would awaken wholly new sympathies in the minds of a large section of the minority. The Irish Parliament would be their parliament in a sense in which the Imperial Parliament never was. Professor Culverwell, still an unrepentant Unionist, laid great stress on this point when speaking on the deputation to Mr. Asquith. He stated that he had been an elector for twenty-five years without ever returning an effective vote.

Such, then, are the main reasons why proportional representation seems to be specially applicable to Ireland. To attempt to elaborate minor points might only tend to obscure the importance of the weightier considerations.

CHAPTER III.

SYSTEMS OF PROPORTIONAL REPRESENTATION OPEN FOR
ADOPTION UNDER THE PROVISIONS OF THE GOVERN-
MENT OF IRELAND BILL.

IN defending any system of proportional representation against the charge of complexity, one has a right to insist upon a rigid distinction being drawn between what the elector is required to understand and what only concerns the explanation of the principle and mechanism of the system from a theoretical point of view. The writer has known men of intelligence complain that the Droop quota, used in the single transferable vote system, is too complicated for the average elector. Why should the total votes polled be divided by one more than the number of seats? And why should one be added to the quotient so obtained? These are matters which the elector has no need to understand in order to record his vote, and record it in the most intelligent manner. It is only the returning officer that has to know how the quota is ascertained, and even he need not understand the principle on which it has been chosen as the most satisfactory.

Now certainly, if the virtue of simplicity is to rank above everything else in a comparison of systems that admittedly secure proportional representation with all the accuracy that is practically necessary, the Belgian system has the first claim to consideration. Of its simplicity the Royal Commission Report says:—"The

Belgian has the inestimable advantage of almost perfect simplicity for the elector. The English voter would find his part practically unchanged. He would only, as now, have to make a cross against one name, or else at the top of a list—for the ‘supplementary candidate’ means of providing against by-elections is clearly inapplicable in this country—and he would, therefore, be spared even this small complication. . . . The counting of votes is easy and expeditious. Moreover, neither the voter’s nor the returning officer’s tasks are materially affected by the size of the constituency.” In explaining this system we may adopt the suggestion of the Royal Commission, and omit the provisions as to by-elections, which, however, only cause very slight additional complication. We may further follow the Royal Commission in speaking of crosses instead of the blackening of white spots.

Under the Belgian system all candidates stand either singly as lists of one, or in groups, as lists of several. The ballot-paper placed in the elector’s hand shows two or more lists containing one or more names each, but never containing more names on a list than the number of seats to be filled.

The elector votes either by placing a cross at the top of a list, which means that he votes for the list, and approves of the order in which the names appear on it, or by placing a cross opposite the name of a candidate on one of the lists, which means that he votes for that list, but prefers the candidate which he has marked to any other. In the first case the vote is simply a vote transferable down the list in the order named. In the

second case, since the vote benefits the list as a whole, and, therefore, helps to return the elected candidates, it must, in the event of the candidate marked being unable to secure election, in theory be regarded as automatically transferred to the continuing candidates on the list.¹ This point, however, will be more satisfactorily dealt with by modifying the mechanism so as to provide for actual transfers.

We have now to describe the mode of distributing the seats. The first thing to be done is to ascertain the *quota*. The method adopted was the invention of Professor d'Hondt, of Ghent, and is a simple mechanical process, although it rests on a sound principle. The total of the votes polled by all the candidates on each list is first ascertained. These totals are then written down in a line. Each total is then divided by two and the quotient so obtained written below it. So again by three, and by four, and so on, as far as necessary. If, then, there are three seats to be filled, the third highest number forms the quota; if four, then the fourth; and so on.² Thus if the totals and quotients obtained as above were as follows:—

LIST A.	LIST B.	LIST C.
8000	7500	4000
4000	3750	2250
2666	2500	1500

¹ Continuing candidates are those who have not been declared elected nor eliminated, i.e. those that are still "in the running."

² The principle is that the highest total has the first right to a seat, and it has a right to two seats before any total that has less than half its number of votes gets one, and so on.

—the quota would be 4,000, supposing there were four seats to be filled, 3,750, supposing there were five, and 2,666, supposing there were six.

Having ascertained the quota, the allotment of seats is a very simple matter. Every candidate who either originally or by a transfer of votes obtains the quota is elected. As votes are not transferable from one list to another, each list is dealt with separately. If the total votes polled by the list is less than a quota, it is of course at once put aside. If the total is more than a quota, any candidate on the list who obtains a quota is at once declared elected. If the total votes polled by the list contains more multiples of the quota than the seats so allotted to candidates on it, there must be a transfer. The votes primarily transferable are those at the top of the list. If the candidate at the top of the list has not obtained a quota, these votes all go to him. If he thus obtains a quota, he is declared elected. His surplus, if any, is then transferred, unless the seats obtainable by the list are exhausted. The surplus of these votes, of course, goes to the candidate who stands next on the list. The transfer is continued so long as surplus votes arise in the above manner. When all the votes placed at the head of the list have been transferred, then, if all the seats obtainable by the list have not been allotted, the unelected candidate with the least number of votes is eliminated. His votes are then distributed in the following manner: If any of his votes were votes transferred to him from the top of the list, these are dealt with first, and go to the continuing candidate standing first on the list; and should this

give him a surplus, that surplus must at once be dealt with as before. The others are divided equally among the continuing candidates. If any votes remain over after each has obtained an equal number, then one goes to the continuing candidate with the greatest number of votes, the second to the candidate with the second greatest number of votes, and so on. This process of elimination and distribution is continued so long as the total of the votes of continuing candidates on the list is not less than a quota. A surplus of preferential votes given to a candidate is divided among continuing candidates in the same manner as the votes of an eliminated candidate.

The process may be illustrated by taking as a List A the Official Nationalists selected for the Model Election in Ireland in 1911. The names may be placed on the list in the order in which they were placed by the votes actually cast, and we shall take from Mr. Redmond any votes which he had over a full quota, and suppose that they were votes placed at the top of the list. For the sake of example, we may also ascertain the quota according to the above method. Writing down the totals of the lists, and dividing in the manner indicated, we get the following numbers:—

LIST A.	LIST B.	LIST C.	LIST D.	LIST E.
3414	782	571	2806	1446
2717	391	285	1403	723
1138	260	190	935	482

As there were seven seats, the seventh highest number, 935, forms the quota. Leaving Mr. Redmond with this

number, and placing the rest of his votes at the top of the list, we get:—

LIST A.

Votes at the top of the list,	.	.	1714
Preferential votes for Redmond,	.	.	935
„ „ Devlin,	.	.	382
„ „ Dillon,	.	.	175
„ „ Esmonde,	.	.	113
„ „ Nannetti,	.	.	95
Total,	.	.	<hr/> 3414

The 1714 votes at the top of the list are transferred to Mr. Devlin. This gives him 2096. He has thus more than 935, so he is declared elected, and his surplus, 1161, consisting of votes which came from the top of the list, is transferred to Mr. Dillon. This gives him a surplus, and so he is declared elected, and, as his surplus, 401, together with the votes of the two remaining candidates, is less than a quota, all the seats obtainable by the list have been distributed.

As in the example above taken the candidates were elected as the result simply of a transfer of votes from the top of the list, an artificial example may be selected, and the processes set out in tabular form. The quota may be supposed to have been ascertained to be 1000. It will be observed that when *Q* was eliminated the 200 votes which he had obtained from the top of the list were dealt with first, since they were the votes of persons who voted for the list and approved the order in which the names were arranged on the list. They had therefore to be given to the first unelected candidate

on the list. The remainder were preferential votes

LIST A.

	Result of Poll.	Transfer of votes at top of list.	Result.	Transfer of surplus of top of list votes.	Result.	Transfer of Q's eliminated top of list votes.	Result.	Transfer of Q's eliminated votes.	Result.	Final result.
Votes at top of list)	900	- 900	-	-	-	-	-	-	-	Elected
P,	300	+ 900	1200	- 200	1000	-	1000	-	1000	Elected
Q,	80	-	80	+ 200	280	+ 46	326	- 200	126	Elected
R,	520	-	520	-	520	+ 47	567	+ 200	767	Elected
S,	550	-	550	-	550	+ 47	597	-	597	Elected
T,	140	-	140	-	140	- 140	-	-	-	Elected

that had proved ineffective, but were still to benefit the

list. They were therefore divided equally among the continuing candidates.

The above mode of working out the Belgian principle differs from that given in the Royal Commission Report. Indeed, it is difficult to make out from that Report, or from Mr. Humphreys' book, whether R or S should in such a case as the above be elected. But there is no doubt that on principle votes which came from the top of the list and were ineffective for Q were correctly made effective for R. The actual elimination of candidates from a list, when they cannot be returned, and the distribution of their votes, so that actual quotas may be obtained, make the whole process clearer, and obviate the necessity of supplying any abstract reasoning to show that on this system the voter is given one transferable vote. Further, the above description renders all reference to a distribution of seats between lists unnecessary. The question is simply one of a candidate obtaining a quota, either originally or by the transfer of votes on the list.

The essential differences between the above system and the so-called single transferable vote are that the former does not allow the voter to express more preferences than there are seats to be filled,¹ whereas the latter allows him to express them down to the last limit of absurdity, when his final preference becomes

¹ As a vote benefits the whole list, it indicates a preference for all candidates on the list as against all others. The rules necessary to give effect to the precise modification of the Belgian system, of which the writer most approves, are set out in Appendix D, *post*.

meaningless, seeing that there are no more candidates on the ballot-paper ; secondly, that the former restricts the expression of preferences to the party for whom the elector votes in the first instance, whereas under the latter, after a voter has done all he can to establish his own party he may attempt to wreck his opponents' ; and thirdly, that under the former a voter who has not been happy in his first choice is made to accept the common sense of his party for guidance as to further preferences, whereas under the latter the vast majority of the late preferences which decide the last seat are late preferences expressed by voters whose first preferences have been condemned by all but an insignificant number of the electorate. These are the electors that are made to hold the balance.

However the above differences may be viewed, it is clear that the provisions of the Government of Ireland Bill determine nothing against rules for the transfer of votes such as the above or in favour of such rules as those approved by the Proportional Representation Societies. The question is left for settlement by Order in Council.

There are other forms of list systems that would come within the provisions of the Government of Ireland Bill, and a couple of them are deserving of notice. One of them is of particular interest. This is not so much because of its intrinsic merits, as because it not alone obviously comes within the provisions of the Bill, but is classed by its inventor and by Mr. J. H. Humphreys as a modification of the single transferable vote, and has a title to consideration, when the Order in Council

comes to be drawn up, which the Proportional Representation Societies cannot dispute, although in essence it is clearly a list system. The system referred to is that invented by Mr. A. E. Dobbs. The only difference between this system and the single transferable vote is that it does not allow the voter to indicate the series of preferences after the first, but provides that the candidates are, previous to the election, to publish schedules showing to whom, and in what order, their votes, so far as ineffective, are to be transferred. In this system every candidate forms his own list, and puts himself at the head of it, and all votes are simply transferable down the list.

The above method of dealing with the problem of the transfer of votes is one that has probably occurred to most persons who have tried to think of a means of simplifying the complex rules of the single transferable vote; and it was followed in the Bill submitted by Mr. W. H. Gove to the Legislature of Massachusetts in 1891. Section 7 of that Bill read as follows:—"Votes shall be transferred according to the request of the candidate for whom they were originally cast to a person named in the list furnished by said candidate before the date of the election."

Considered as a modification of the single transferable vote, the above is a considerable improvement on the original scheme. At a stroke it abolishes all necessity for any further scrutiny of voting-papers after the first count. Once it is known how many votes each candidate has obtained, the rest is a mere matter of arithmetic. From the point of view of the

voter, the simplification is equally great. He has only to mark his vote with a cross opposite the name of the candidate he prefers, just as he has hitherto been accustomed to do. What, then, are we asked to sacrifice as the price of so great a simplification of an admittedly complicated system? Simply the freedom of the voter to act irrationally. For if the voter is to be presumed to have chosen the candidate who would really represent him, he must be presumed to approve of that candidate's selection of associates in Parliament; and the list of candidates whom the named candidate would desire to act in his stead must be presumed to be those he would act with had he and they been returned. If, therefore, the voter's preferences were to differ from those of the named candidate, he would have to be regarded as having changed his mind as to his proper representative, and to have done so in the very act of recording his vote. Even if the lists were not to be published before the date of the election, the voter could not complain of the vote which he gives to a person whom he would desire to represent him being transferred to that person's nominee. But the publication of the lists before the election simply gives to the voter the greatest help possible in the selection of a representative. If the list published by a candidate discloses sympathies which the voter had not suspected, he is merely warned in time, and need not vote for that candidate.

If the complexity of the single transferable vote, from the point of view both of the voter and of the returning officer, is a real objection against that system, it is difficult to see how it can be defended as against

the above modification. The freedom of which the elector is deprived is simply a freedom to be capricious and to abuse the power of transfer in a manner in which the supporters of the transferable vote strenuously contend it is in practice not liable to be abused.

But the moment we let in the considerations that show the advantages of the above system, we are driven on to the Belgian system as a scheme more logically thought out. If the elector ought to agree with his would-be representative's list, so ought those on that list to agree among themselves. The lists of all candidates on each list ought to merge in one. This is the logic of the party list, and of the votes placed at the head of the list. But what, then, is the logic of the preferential vote for a particular candidate on the list? It is to be found in the actual divergence of opinion that must always exist between the voter and that one of a limited number of persons who is only the best available to represent him. Such votes are, therefore, properly made transferable, not necessarily as the *candidates* have arranged, but according to the collective wishes of the *voters* that support them as a party list. The Belgian system seems, therefore, more rational than that invented by Mr. Dobbs; and it is even simpler.

Some supporters of the Belgian system think that the best way to determine the selection of candidates from the several lists would be by the use of the so-called single transferable vote. Each list would receive a seat for every quota of votes contained in the total of votes polled by the list; and then as between the

candidates on the same list the election would be an election on the single transferable vote system for the seats allotted to the list. Of course this introduces the complication of the single transferable vote as far as each list is concerned. Nevertheless, as the voting-papers given to the different lists would be segregated and dealt with separately, there would be a great saving of time in the process of transfer as compared with the single transferable vote. Also, from the point of view of the elector there would be a most valuable simplification, since he could not lose a seat for his party by only marking a first preference. Further, the single transferable vote, when its application is restricted to the selection of candidates for return from the same list, is not open to the more serious criticisms that may be levelled against it, when votes given in first preference to perhaps an extremist of one party may become effective to determine the choice of a candidate from the opposite party. A full examination of the merits of this modification of the Belgian system, as also the further modification of allowing lists to group, as in the French system, must be deferred until the transferable vote and the French system have been considered in detail. That it comes within the provisions of the Government of Ireland Bill is obvious.

The criticisms which the Royal Commission passed on the Belgian system may now be considered. Having commented on its simplicity, the Report goes on to say : " In view of the profound importance of these elements of simplicity and facility in an electoral system, it is with great regret that we feel compelled to lay stress

upon other features which must be regarded, at least under present conditions of political sentiment, as probably fatal to its chances of adoption in England. In the first place, it emphasizes and stereotypes party divisions in a way which is incompatible with the more elastic ideas of English politics. There is no alternative between opposition and absorption—the precise difficulty which is at the present moment responsible for the demand for the introduction of the alternative vote into our system. A small party (or a section of a large party) must either take its chance as part of the list of one of the great parties, or put in a list of its own which will subtract votes from the great party with which it is most in sympathy, without perhaps itself securing the return of a representative. The small parties, in fact, are in a position of considerable difficulty in any case, since the system itself operates to their disadvantage, as has already been pointed out. When to this is added the natural reluctance of the voter to risk the success of the great party he favours by giving his one and only vote to another list, even if it more exactly represents his opinions or contains a man of distinction whom he particularly desires to see in Parliament, it is not surprising that the paradoxical result of the introduction of a proportional representation system in Belgium has been the virtual extinction of small parties. But there are more concrete objections. The underlying principle of all list methods is that in giving a vote for a member of a party the elector votes for a member of a party as well as the man; and they

proceed, therefore, on the assumption that if a vote proves to be of no use to the individual for whom it is given, it may in effect be employed without any further consultation of the elector's wishes for the benefit of another member of the party, to whom it will be of use.¹ In England, however, whatever may be the case elsewhere, it has to be recognized that, for good or for evil, votes are often dictated by a variety of motives other than political conviction, and any system by which a vote given for A might return B would therefore encounter strong opposition. This objection is strongest against the Belgian method, because there the person whom the vote may return is not even necessarily the choice of the majority of the supporters of the party, but only of the party organization; for the order of names on the list practically determines the members who will in the event be returned by the party. This is no doubt due to the fact that the vast majority of electors vote for the list as it stands, by marking the *case de tête*, and it may be argued that this implies their preference for the top members. But this is, of course, not necessarily the case. The ordinary voter in any country will tend to take the course of least resistance, which is in this case to accept a list put before him rather than assert his own tastes,² if they

¹ The same assumption underlies the English system. A minority in one constituency is supposed to be compensated by the return of a representative by a majority of its party elsewhere.

² Properly *taste*, not *tastes*. The voter has simply to place a cross opposite the name of *one* candidate. It is inconceivable that he would not do this if he had any preference for a particular candidate.

are not very decided, in another direction; and this force of inertia may always be counted on to assist genuine preference in giving a decisive advantage to the candidates put first on the paper by the party. In Belgium experience has shown that only in the rarest cases has the personal popularity of a candidate low on the list succeeded in upsetting the printed order.¹ The exaggerated power which is thus conferred on the party organization has, we are informed, caused considerable dissatisfaction in Belgium itself; and in some constituencies the expedient has been adopted of a private preliminary poll by an elected association, consisting of all the members of the party in the constituency, to determine the order in which the candidates shall appear on the list. But this expedient is too cumbrous to commend itself for general adoption.² Again, it might appear at first sight that the difficulty would easily be solved by the omission of the *case de tête* vote. The candidates would then be arranged, as

¹ *Non constat* that this was because the electors were too lazy to assert a preference of their own. The order on the lists may, in the opinion of the electors, have been judiciously determined. This seems the more rational assumption, since it is just as easy for an elector, accustomed to place a cross opposite the name of a candidate, to place a cross in that way as to think out the effect of putting a cross opposite a blank. Mr. Humphreys states that in Belgium electors are coming more and more to exercise the privilege of marking preferential votes.

² One would think that under the present system there were no means of deciding who the two official candidates for a party in a two-member constituency were to be. Why should it be a more difficult matter to decide on a list of three? The party organization would certainly have no greater power than at present.

in the French method, in alphabetical order, and those returned on behalf of the party who obtained most personal votes. It is doubtful, however, whether this would in the end produce more satisfactory results. For it is, in effect, the Japanese variant of the limited vote applied within one party, and is open to the same objections. If, for example, a party list contains five names, but is only strong enough to return five members, then, though the party as a whole would have chosen A, B, and C, A may be so popular and thus attract so many votes that D and E may pass B and C. If now B and C represent one wing of the party, and D and E another, this result will cause considerable dissatisfaction. Then it is at least possible under the Belgian system as it stands, though at the cost of considerable trouble, to minimize personal rivalries and ill-feeling by making the composition of the party list a matter for preliminary arrangement and compromise; but if no order is agreed upon beforehand, the strain on the mutual loyalty of the candidates may easily reach breaking-point, and the contest itself develop into a personal struggle for votes, the effect of which upon the candidates' relations to one another and to the party organization would certainly be most unsatisfactory."¹

The above is the complete statement of the arguments on the strength of which the Royal Commission rejected the Belgian system. It is reproduced *in extenso* owing to the views here put forward. The speciousness of the

¹ R. C. Report, par. 70.

reasoning will appear the moment we reflect that once it was granted that the Belgian system was simple and practicable, the first question was not, whether it attains the same degree of perfection as the single transferable vote professes to attain, but whether it would do more than the existing system to make the popularly elected legislative body representative in character. The whole Report of the Royal Commission reads as if the Commissioners had said to themselves: "Our course is clear. There are two qualities which a commendable system should possess—simplicity and elasticity. The Belgian system is perfectly simple, so we must show that it is not perfectly elastic. The French system is more elastic, but we can show that it loses in simplicity. So we can say that the alternative is between the present system and the single transferable vote. In this assertion we shall have the support of the Proportional Representation Societies. Once we have reduced the question to this, we can easily condemn the single transferable vote on the ground of impracticability. Further, we can show that all list systems look primarily to the balance of parties, and only secondarily to persons, and would therefore violate existing sentiments in England. We can then show that the single transferable vote looks primarily to persons; and by reason of the decisive effect of late preferences may give the balance of power between parties to persons elected on other than party grounds; and that, therefore, it is not really a system of proportional representation at all, and so would not effect the desired reform."

The statement that the Belgian system "emphasizes and stereotypes party divisions in a way which is incompatible with the more elastic ideas of English politics" is peculiarly misleading. That the system is not as elastic as English *ideas* may be granted, but the first question is whether it is not more elastic than the existing antiquated institutions "which date from times of rough-and-ready expedient."¹ These institutions are admittedly so rigid that the Commission felt bound to recommend the application of the alternative vote where more than two candidates stand for a seat. But, applied only to single-member constituencies, this does not save the smaller party from absorption, or give it a representative of its own. It only enables the smaller party to give public notice of its existence, which is rather "a sterile exhibition of impotence."² To effect anything in the way of proportional representation the alternative vote would have to be applied to constituencies returning at least three members. If the minority backing the unfortunate "small party" could then command a quarter plus one of the electorate, it would obtain a representative. But, to escape this criticism, the Commission were careful to hold that to give full swing to the principle of proportional representation the constituencies should each return at least five members, so that minorities of a sixth plus one would be sure of being represented. But when the constituencies become so large the working of the system becomes too complex, and the close personal relation between the

¹ R. C. Report, par. 13.

² *Ibid.*, par. 74.

member and his constituents is lost. Thus the Commission reasoned out their condemnation of the reform.

But it must be admitted that there is some force in the criticism above urged against the method of determining the candidates to be returned from each list. The point will be fully dealt with in Chapter VI. For the present it is sufficient to remark that the difficulty could be surmounted by the application of the single transferable vote to the selection of candidates from each list. For between candidates on the same list the question is mainly personal, and, if lists are allowed to group, may be regarded as entirely personal. But the Commission did not consider this obvious way out of their difficulty. Also, if the Belgian system is not sufficiently elastic, and if it gives the small party "no alternative between opposition and absorption," why not modify it, in the way done in the French system, by allowing the lists to group, or, in other words, by applying the principle of the alternative votes to lists as a whole? Presumably this introduction of elasticity would have led to government by groups. At all events it was more convenient to deal with the power of grouping as an incident of the French system, which system could then be condemned as a whole on the score of objections to the cumulative vote.

We have now considered different list systems that would be open for adoption under the provisions of the Government of Ireland Bill. It would probably be going too far to contend that the single transferable

vote system is not, properly speaking, a system of proportional representation at all, and is therefore excluded by the provisions of the Bill. Yet if the Report of the Royal Commission were to be taken seriously, there would be much to be said in favour of that contention. What is representation which is proportional proportional to? Apparently to the true strength of *parties*. But the single transferable vote, as it stands, takes no notice of parties. It is only list systems which do this. That is one of the few points on which the Royal Commission gave an emphatic decision. It is taken at the outset, and consistently maintained to the end. The system is described in paragraph 57 of the Report as follows:—

“*The Transferable Vote*.—This method is entirely different from the two so far described. For while these subordinate the candidate to the party, and have for their primary object the return by each party of the proportion of members to which it is entitled, the Transferable Vote owes its peculiar merits and defects to the fact that, subordinating as it does the party to the persons, it is not in its origin a system of proportional representation at all. The present form in which it is advocated will, in fact, be best understood by comparison with that in which it was originally put forward in 1859 by Mr. Thomas Hare in his book on ‘The Machinery of Representation.’ His object was to secure the return to Parliament, not of the parties or interests, but of the persons most desired by the electorate as a whole.”

The final conclusions at which the Commission arrived are equally emphatic: "The Transferable Vote, again, is unreliable, because it tends to give a decisive effect upon party representation to votes given least for party reasons. It was not originally invented as a system of proportional representation, but as a system of personal representation to secure the return of men as men, not as party units, a purpose which it is well calculated to serve. In elections, therefore, where the party is of no importance, or of less importance than the person, it may be invaluable; for, in such cases, all that is wanted is to find out which men stand most high in the estimation of the voters. But in political elections it is the balance of parties which is of primary importance. The balance under the Transferable Vote is the net total of the balances obtained in a number of multi-member constituencies, and these balances depend upon late preferences. The apparent verdict of the country will, therefore, be determined by the least satisfactory criterion which the system provides, for a considerable number of voters will not exercise their later preferences at all, and of those who do many will be influenced by other than party motives."¹ Consistently with the above finding, the Commission stated that, though it was no part of their reference to consider the applicability of the transferable vote to non-legislative bodies, they might observe "that many of the most important objections to its use for political purposes are not valid

¹ R. C. Report, par. 127.

against proposals to employ it where the functions of the body to be chosen are primarily administrative.”¹ So also they thought the system might be applied to the election of an Upper Chamber.

The view of the Royal Commission, therefore, clearly was, that the single transferable vote is only nominally and contingently a system of proportional representation.

¹ R. C. Report, par. 135.

CHAPTER IV.

THE FRENCH SYSTEM OF PROPORTIONAL
REPRESENTATION.

" PROPORTIONAL Representation is in regular operation in several different countries. In Belgium, Sweden, and Finland, in South Africa and Tasmania, it has secured in practice all that its promoters claim for it."¹ This statement, which is taken from one of the pamphlets published by the Proportional Representation Society of Ireland, is more or less true. But in the three first-named countries, as well as in Switzerland and Würtemberg, it is a list system that is in operation and that attains all the ends of proportional representation. Further, it was a list system that was adopted in the French Electoral Reform Bill that passed the Chamber of Deputies. This latter system, however, would not be open for adoption under the provisions of the Government of Ireland Bill till after the lapse of three years. But as it might be adopted after that period, and as it presents many interesting features, it is worth examining. It is a modification of the Belgian system, and aims at giving the elector greater freedom.

The distinctive feature of all list systems is that votes, as we have seen, count primarily for parties and secondarily for persons. This characteristic, no doubt, jars rudely on English ideas, but the reader need not look beyond the comments passed in the above-mentioned pamphlet on the result of the All-Ireland

¹ P.R.S.I. Pamphlet A, p. 21.

Model Election of 1912 to see that the party point of view is inevitable on any system of proportional representation. Referring to the result sheet, which is reprinted in Appendix B hereto, the following observations are made:—

“If the votes cast in the Model Election just described be analyzed, many interesting influences and effects will disclose themselves. It may be assumed that the party predilection of those who voted were expressed by the first preferences marked on their papers. Home Rule or no Home Rule being the pre-dominating issue in Ireland at present, these first preferences may be divided as follows:—

OFFICIAL NATIONALISTS.

Redmond,	.	.	.	.	2649
Devlin,	.	.	.	.	382
Dillon,	.	.	.	.	175
Esmonde,	.	.	.	.	113
Nannetti,	.	.	.	.	95
					<hr/>
					3414
Russell,	.	.	.	.	782
O'Brien,	.	.	.	.	571
					<hr/>
Total Home Rule vote,					4767

OFFICIAL UNIONISTS.

Carson,	.	.	.	.	1326
Campbell,	.	.	.	.	799
Sinclair,	.	.	.	.	457
Craig,	.	.	.	.	224
					<hr/>
					2306
Plunkett,	.	.	.	.	1446
					<hr/>
Total Unionist vote,					4252

“Comparing first of all the official votes, 3414 Nationalist and 2806 Unionist, it is to be noted that two official Nationalists and two official Unionists were ultimately elected with a Nationalist as runner-up. If, again, Sir Horace Plunkett’s votes and his election be eliminated from the result, it will be found that Home Rulers with 4767 votes secured four seats, and the official Unionists with 2806 votes secured two seats. These and any other analyses that may occur to the reader will clearly indicate that the election has demonstrated—as its promoters expected—that the proportional system secures substantial justice as between those who record their votes at elections.”

Thus the fairness of the single transferable vote system is tested by counting up the first preferences obtained by the whole list of members of each party, and seeing whether or not each list obtained its proportionate share. This is certainly a very simple test. Why, then, not adopt it at the outset, and dispense with the complicated process which may not always stand the test? The list system involves no more than the adoption in the first instance of what the advocates of the single transferable vote recognize as the final test.

In the above analysis it will be observed that the 3414 votes obtained by the official Nationalists are looked at from two points of view. They are first considered as part of the total of 4767 constituting the total Home Rule vote, and the first question is whether the Home Rule group received its fair share of seats. Then it is considered as the total of a distinct list, and

the question is whether as such it received its fair share or not. This acknowledges the principle of allowing lists to group.

As a matter of fact, however, the result of the above election did not stand the test to which it was submitted. If the reader turns again to the result sheet in Appendix B, he will see that the quota was 1128. The official Nationalists obtained 3414 votes, or three full quotas plus 30. They ought, therefore, according to the test, to have obtained three seats. But they only obtained two.¹

The result of the above Model Election was, therefore, an unfortunate one for the advocates of the single transferable vote, if the fairness of the test is to be admitted. Presumably, in attempting an explanation they would abandon the test as merely approximate, since it only takes account of the first preferences. But this is to abandon the test altogether. They would also probably point out that on the French system the voter would have not merely one vote, but as many votes as there are seats. Some of these votes would probably be given away from the party, and, therefore, if the above election had actually been held on the French system, the result might have been the same as

¹ That, having obtained three full quotas, the official Nationalists should have obtained three seats is admitted in P.R. Pamphlet No. 17, p. 12. Commenting on the 1911 Model Election and applying the same "test," it is stated: "In this election they [the official Nationalists] obtained three seats, having polled three quotas of votes." Thus we see that the 1912 Model Election broke down according to an admitted test.

on the single transferable vote. That is so; but in that case the result would still have answered the test, and the complicated processes of the single transferable vote would remain without jurisdiction.

On the French, as on the Belgian, and all list systems, all candidates stand *on* lists, or *as* lists. That is to say, a candidate may stand as a list of one, or he may join with others to form a list. A prescribed number of days before the day of the election nomination papers have to be sent in for any lists of candidates who desire to stand. Where several candidates stand as a list, the nomination paper is signed for all the candidates on the list jointly, and not for the several candidates separately. Any candidate, or any number of candidates not greater than the number of seats to be filled, may stand as a list, provided they can get their list signed by the requisite number of electors. Of course, just as under the present system, the candidate nominated generally has a party organization behind him, so under a list system, most lists would be similarly supported. But if one or more members of a party feel aggrieved by not being placed on the official list, they can form their own list. If they do so, they can offer to have their list grouped with the official list. If the party organization, or, rather, the official list, agrees to this, then their list can do the party no harm. Whether the party official list would agree to this or not, would naturally depend upon the number of votes which they thought the unofficial list might obtain if it stood alone. As the electors would presumably resent any unreasonable action, the official

list would have to consent to group unless they felt confident that their refusal would meet with the approval of the general body of their supporters. And, if refusal did meet with such approval, the unofficial list would have no grievance. Owing to the liberty of grouping, which prevents unofficial candidates doing any harm to the party unless there is a genuine party split which prevents grouping, this list system makes candidates less dependent on the party organizations than the present system does. Whether they would be as independent as under the single transferable vote or not, is a question the answer to which must be deferred for the present.

Each list when nominated receives a distinguishing letter or number. No candidate's name may appear on more than one list; but provision is made for a candidate retiring from any list, and for the substitution, if desired, of the name of another candidate. The various lists, with their distinguishing letters or numbers, are published before the day of election.

The ballot papers set out the various lists, the names of the candidates on each list being arranged alphabetically. Each voter has one vote for every member to be elected. These votes he may cumulate or distribute as he pleases. In other words, he may give all his votes to one candidate, or he may divide them between two or more candidates. Here we see one of the main differences between this system and that of the single transferable vote. An elector either gives a vote to a candidate or does not give it. He has a certain number of votes, and he may do what he likes

with them ; but he must make up his mind whether he is going to vote for a particular candidate or not. Under the single transferable vote system he has only one vote, and for which candidate that vote may count is a matter of speculation on contingencies which it is difficult to estimate. As the contingency becomes more and more remote, the elector becomes more and more reckless.

At the close of the election a return is made of the votes received by each candidate. When this return is made, nothing remains to be done but to distribute the seats. For this purpose the total of the votes obtained by each list is ascertained, and then the combined totals of any grouped lists. The quota is then determined. It is ascertained by adding one to the total votes polled divided by one more than the seats to be filled.¹ Thus, if the total number of votes polled was 50,000, and there were four seats to be filled, the quota would be 10,000 plus 1, or 10,001. Each group of lists, or each ungrouped list, then receives one seat for every full quota which it has obtained. This may not, however result in the distribution of all the seats. The remaining seats have then to be distributed among the

¹ A departure is here made from the provisions of the French Bill which met with some criticism on the point of the mode of distributing seats. Majorities were unduly favoured. My reason for making the departure is that it gives me an opportunity of describing the mode of distributing seats which seems to me to be the most satisfactory, and, at the same time, to avoid unessential details of the French system that would certainly be regarded as objectionable. See rules in Appendix D, *infra*.

totals less than a full quota, and, in the case of totals greater than a quota, remainders over a full quota, or multiples of quotas. These remainders and totals less than a quota may be called continuing totals. If only one seat remains for distribution, it goes to the largest continuing total. If there are more than one, the continuing totals are then added up, and a new quota formed as before by dividing by one more than the number of undistributed seats, and adding one to the quotient. If some of the continuing totals obtain the new quota, then the undistributed seats go to the largest continuing totals in order. If one or more continuing totals obtain a quota, they receive a seat for each quota. If all the seats are still not distributed, then the original process is again repeated with regard to continuing totals; and so on until all the seats are distributed. Theoretically there might be as many steps as there are seats to be distributed, but in practice one or two steps would generally prove sufficient.

After the preliminary distribution of seats, then, if some lists have grouped, the seats obtained by any group must be divided between the lists forming the group. The method of division is the same as before. Finally, when the number of seats obtained by each list respectively is determined, the candidates are selected from each list respectively according to the number of votes which they individually obtained. Thus, if a list obtains three seats, the three candidates on the list who obtain most votes are declared elected.

In practice the above distribution of seats would

only be a matter of a few minutes. The only process that would take any time would, as under the present system, be the counting of the votes obtained by each candidate. Applying the method to the analysis of votes cast at the model election, and multiplying the votes in each case by seven, since an elector would have had seven votes, the seats would be distributed as follows :—

LIST A (to be grouped with Lists B and C).

Devlin,	.	.	.	2674
Dillon,	.	.	.	1225
Esmonde,	.	.	.	791
Nannetti,	.	.	.	665
Redmond,	.	.	.	18,543
				<hr/>
				23,898

LIST B (to be grouped with Lists A and C).

Russell,	.	.	.	5474
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LIST C (to be grouped with Lists A and B).

O'Brien,	.	,	.	3997
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Combined total of Lists A, B, and C, 33,369

LIST D (to be grouped with List E).

Campbell,	.	.	.	5593
Carson,	.	.	.	9282
Craig,	.	.	.	1568
Sinclair,	.	.	.	3199
				<hr/>
				19,642

LIST E (to be grouped with List D).

Plunkett, 10,122

Combined total of Lists D and E, . . . 29,764

Total votes, 63,133

Quota, $\frac{63,133}{8} + 1 = 7892$

Total of Lists A, B, and C = 33,369 = 4 quotas + 1801. 4 seats.

„ D and E = 29,764 = 3 quotas + 6088. 3 seats.

List A = 3 quotas¹ + 3876. 3 seats.

Redmond, Devlin, and Dillon elected.

List B = 5474. . . 1 seat. Russell elected.

List C = 3997

List D = 2 quotas¹ + 4758. 2 seats.

Carson and Campbell elected.

List E = 1 quota¹ + 2680. 1 seat. Plunkett elected.

The distribution of seats is thus a very simple piece of arithmetic. Had none of the lists grouped, the result would have been the same. But if lists D and E had grouped, and the others not, then, since their remainder of 6088 would be greater than the total of votes polled by either list B or C separately, they would have obtained another seat, which would have gone to the third on list D. This shows the importance of grouping.

ADVANTAGES OF THE ABOVE SYSTEM.

(1) The Royal Commission, which considered the demerits of rival schemes very carefully, held that the Belgian system was the best from a practical point of view, and the single transferable vote the worst,

¹ These, of course, are new quotas for each group. As between lists in a group the competition is a distinct competition between them for the seats allotted to the group.

because the processes by which the latter system arrives at its results are most complicated. The above system is almost as simple as the Belgian. As for the settling of the lists, it cannot be seriously contended that there would be any more difficulty in arranging the official list of, say, three Nationalist candidates for South Belfast, than there would be in arranging who were to be the two official Nationalist candidates for West Belfast. So there there is no greater difficulty here than under the present system. But there is in fact less difficulty, because under the present system an unofficial candidate splits the party vote, whereas under the French system the official and unofficial lists can agree to group. Then, as to the counting of votes, the process is the same as at present. The only thing that has to be done is to count the number of votes obtained by each candidate. The remaining work of adding the totals of lists and distributing the seats can be performed by the returning-officer in a few minutes.

(2) No element of chance is involved, as with the Belgian system a correct count can only give one result. Under the single transferable vote there are strong objections to a complete recount. An element of chance enters into the selection of particular votes for transfer. Hence, even if a count were correct, if all the voting-papers were shuffled up, and a second complete recount and distribution made, the same precise result would hardly ever be attained. A candidate rightly declared elected the first time might fail as the result of a recount.

(3) The whole system favours the growth of different parties standing in various degrees of sympathy. Such parties may group on the basis of agreement on some dominating issue, while retaining their independence on subordinate issues.¹

(4) All votes are of equal value. Under the single transferable vote system, a quota made up of late preferences and of a few first preferences counts the same as a quota of first preferences only. But though these quotas are numerically equal, they are of very different value. So long as the late preferences are for candidates of the same party as the candidate to whom a first preference was given, this point may not be serious. But when the late preferences mark a departure which the elector is obliged to make because he has exhausted his own party-ticket, they only give a variegated quota, which is made to return a representative on principles that are altogether unintelligible. However, it must be admitted that the French expedient of giving as many votes as there are seats, though preferable to the single transferable vote, is open to somewhat similar criticisms. To give an elector seven votes in a seven-member constituency, and allow him to give votes to candidates on different lists, seems like admitting that he could be represented by six-sevenths of a candidate of one party, and one-seventh of a candidate of another party.

(5) Under the French system an elector knows the

We have seen above (p. 34) that this is the kind of development that we have most reason to expect in Irish political life.

ultimate destination of his vote. He knows what he is doing, and acts deliberately. He has as many votes as there are seats, and he either gives a candidate a vote or he does not. Under the single transferable vote system he has only one vote, although there are several vacancies, and the more reasonable his first preference the more likely his vote is to count for someone else.

(6) The French system does not unduly favour cranks. If a crank stands as a list of one, and obtains a full quota, he gets elected. If he obtains less than a full quota, he does not get elected—unless there is an undistributed seat, and his total is greater than any of the remainders over full quotas. In that case the votes given to him are ineffective. This is a wholesome restraint on voting for cranks. Under the single transferable vote system there is every inducement to vote for a crank, and he generally manages to amass a considerable number of late preferences. For most of us are cranks when probed as deep as a ninth or tenth preference.

We may now consider some of the objections that critics would be most likely to urge against the French system and list systems generally.

(1) Since list systems all explicitly recognize distinctions of party, it is, of course, natural that some critics should object that their tendency is to perpetuate party divisions, and give undue power to the party machine.¹

¹ In the debates in the House of Commons on the proportional representation amendments, several members adverted to this question. One side alleged that the system would increase

This is admittedly a most important question, and the impartial reader will be well advised to watch carefully that the advocates of neither system attempt to blow hot and cold. A straight answer must be given to the straight questions—"How far does your system tend to favour party organization?" and "How far does it tend to increase or diminish the influence of the party caucus?" Though these are plain questions, they are not questions which advocates of proportional

the power of the caucus, the other that it would diminish it. Those who took the latter view seemed to rely entirely on the opinion of party agents, whose judgment seems to have been regarded as final. But it does not appear to have been the opinions of party agents in either the Transvaal or in Tasmania—who might be expected to understand clearly by experience how well the single transferable vote can be turned to account by party organizations—that were consulted. Agents in this country know the power the party machine has under the present system, and are, therefore, naturally distrustful of a system the possibilities of which they will not take the trouble to comprehend until it comes into operation. In the Transvaal the whole trouble seems to have arisen from the fact that the Labour Party organized so successfully that they captured more seats than they were thought entitled to. The "Johannesburg Star" of August 17th, 1912, says:—"The fact that at the last election here the Labour Party was able, working on narrow party lines and with an efficient machine, to capture a large number of seats to which it was not considered entitled, disgusted many of the ratepayers' associations and private citizens, and led them to blame proportional representation for this undoubted misfortune, whereas in reality the fault lay with the vast sections of the electorate which abstained from participating in the contest." The agents concerned in that election would probably have given a different verdict from that of those consulted by the members of the House of Commons.

representation generally care to face fairly. The temptation to say one thing to the general public and another to active politicians is very great.¹

First, as to the French system. That it does not tend to break up party organization is obvious, and need not be argued. Advocates of this system must stand by the contention that it is not desirable to break up party organization. But, once grouping is allowed, the system removes the obstacles that exist under the present system to a party throwing out right or left wings that would put forward separate lists, but consent to group. The single transferable vote system operates probably to a precisely equal extent in this respect. To illustrate the point we may consider what happens in England at present, and compare it with what would happen under either system of proportional representation. At present the Liberal and Labour parties have to come to an arrangement as to which

¹ What is said in these pages is shortly this. No electoral system will succeed in breaking down the party machine, and it is not desirable that it should. The only thing a system can be asked to do is not to give the caucus an unfair advantage that would defeat the ends of true democratic government. That the single transferable vote leaves the caucus with quite as much power as it has at present seems clear as a matter of experience. On the other hand, it is confidently asserted that the French system—or the Belgian system, with permission to lists to group—would in no case increase the present power of the caucus, and would in fact diminish it in the case of individual candidates of real merit.—Of course the question as to the effect of the single transferable vote system on the power of the caucus is a different question from that of its effect on the balance of parties and the undue advantage it gives to compromise candidates.

party will contest a seat, or else allow the progressive vote to be split. Failure to come to an arrangement might result in a progressive majority being defeated by a conservative minority. Nevertheless the organization of the Labour Party is not broken up. All we can say is that the present electoral system is not adapted to the existing divisions of political opinion. Under the French system there would be a perfect adaptation. The Labour Party would put up a separate list in almost every case, but they would consent to group. Under the single transferable vote system the Labour Party would also put up candidates in almost every case, and they would instruct their supporters to vote for the Liberal candidates immediately after their own. Both systems would prevent the Conservative Party from obtaining an unfair advantage from a split vote. On the other hand, the Conservatives would not have the same motive for keeping the question of Protection so much in the background. Hence we may say that both systems of proportional representation favour the subdivision of parties where there is a real division of opinion, but prevent a united minority from gaining any undue advantage from such subdivision.

Next, as to the effect on the influence of the party caucus. Now obviously the electors have an uncontrolled power of selecting which candidate they prefer on the official party list. The influence of the caucus must be confined to the formation of the party list. Admittedly it must exert some influence here. Its influence would in fact be as great as under the

present system, until the "factionists" grew sufficiently strong to form a separate list. In that event there would be a fair and square fight within the group, and the electors would decide. If the "factionists" were not sufficiently strong to form a separate list, they would have to submit to the caucus; but, since not being sufficiently strong would simply mean not being able to get a sufficient backing from the electorate, it is difficult to see what grievance they would have. In the net result, then, it would seem that the French system would tend more than the present to keep the influence of the caucus within due bounds. On the other hand, it lessens the chance of the caucus being suddenly and completely overthrown. All developments tend to become more gradual. Organic growth takes the place of violent disruption. This is a particularly important consideration when we are thinking of the best electoral system for Ireland under a completely new regime. Under any list system of proportional representation which permitted grouping, the present Nationalist party organization would be much more likely to run smoothly and continuously than under the existing system.

Secondly, as to the answers to be given to the above questions in the case of the single transferable vote system. In the pamphlet already referred to it is stated: "Those who fear the break-up of the party system and the substitution of government by groups as the result of proportional representation may have their attention drawn to another aspect of the foregoing analysis. The preponderating number of votes followed

strict party lines." And this was so even in a model election. Much more would they have done so in a real election.

The truth is that in simply stating that the single transferable vote system would not break up party organization the advocates of that system have cleverly avoided the real question. Most persons who have a strong preference for the single transferable vote as against a list system have a belief that a party caucus would have much less power under the former than under the latter system. Now in theory, certainly, this might seem to be the case. But the single transferable vote in reality overshoots the mark.¹ The very complexity of the system and the helplessness of the average elector when merely supplied with a long string of names, and told to indicate a series of preferences, make it absolutely necessary for the party organizers to issue complete instructions, and induce the elector to follow them willingly. Mr. Humphreys mentions² that at the Johannesburg municipal elections in 1909 a committee representative of commercial and other interests asked the citizens to vote for ten particular candidates forming what was

¹ In an article entitled "Proportional Representation—What is it?" in the "Nineteenth Century" of May, 1913, Major Clive Morrison-Bell, M.P., speaking of the single transferable vote, observes—"Instead of freedom, it would mean enslavement—enslavement to the caucus, for it is the caucus, and all that is generally understood by that expression, that would alone take the trouble thoroughly to master the system, and so make the most of its complicated possibilities."

² "Proportional Representation," by J. H. Humphreys, p. 253.

called the "ticket of the ten good men." The following is Mr. Humphreys' extract from the circular letter addressed to the electors:—"We are aware that many people are opposed to the principle of a ticket, on the ground that it savours of dictation, &c., &c. We are exceedingly anxious that every voter should be in a position to exercise his privilege of choice to the fullest extent. . . . It is not reasonable to expect him, without advice, to express an order of preference in the case of men he does not know. This is exactly one of the strongest justifications for a representative committee to come forward as we do, to say: We have carefully inquired as to the character, capacity, and ability of all the candidates, and having taken everything into consideration, we recommend you to vote for the ten whose names are on our ticket, placing them in such order of preference as you please." But this was not all. Mr. Humphreys tells us that "The campaign of the Labour Party was more rigidly organized. The leaders nominated a ticket of three candidates, but instead of leaving their supporters free instructed them to vote for the candidates on the ticket in a definite order, although this order was varied in the different wards." We could hardly expect Mr. Humphreys, an advocate of the single transferable vote, to point out the meaning of instructing the voters to vote in a definite order, at the same time changing the order in the different wards. By this means the caucus not alone settled the ticket, but arranged which of their three candidates was to be eliminated first, supposing that all three were not elected. Now, all this happened

at a mere municipal election. What would happen at an Irish election for which organization by all parties would certainly reach the highest pitch? The party machine in each case would arrange the party ticket, and, if only some of the candidates on the list could be returned, it would determine who the candidates were to be. In this way it could pander to the electorate by including a certain candidate, at the same time taking care that that candidate would be the first on its list to be eliminated! It is obvious that on the French system such treatment of candidates is quite impossible. Since all votes count primarily for the lists, no party has any excuse for giving directions as to how electors should distribute their votes among candidates on the party list. Every candidate on the party list gets an equal chance.

We see, therefore, that just as the fairness of the single transferable vote is ultimately tested by an appeal to the list principle, so in practice, whether a list system is explicitly adopted or not, it all comes down to a question of lists in the end. A list-system is plain and frank: the transferable vote is complicated and treacherous.

But, it may be urged, the above observations take no account of the way the single transferable vote breaks down party organizations by letting in a certain number of strong independent candidates of conspicuous merit. Such candidates keep on accumulating late preferences, and stand an exceptionally good chance of obtaining the last seat in constituencies returning five or more members.

Admittedly there is a certain amount of justice in the above contention. But the admission calls for some qualifying remarks. If a dozen such strong independent candidates were to get elected, they would not be of much use unless they formed a party. Their proper place would be in the Senate, not in the House of Commons. Then, if their merit were really so conspicuous, they would be returned under a list system on very favourable terms. They would be certain of election if they obtained a quota, and might be elected with considerably less. Further, the number of such men is not very great. The single transferable vote has gained an undue amount of adherence owing to the fact that one readily thinks of one or two able men that might find it very difficult to get elected under the present system, but who would be certain of election under the other. But if one or two such names have occurred to the reader, let him ask himself if they would not also be certain of election under a list system if they chose a favourable five-member constituency. It is not really these few men that would be more helped by the single transferable vote than by the list system, but those of far less ability who in a small way have moved in a somewhat local "limelight." They form good compromise candidates for the last seat. They have a small band of admirers that would give them sufficient first preferences to enable them to keep their flags flying until late preferences were reached. They would then begin to accumulate the votes of electors of each party who prefer them to members of the opposite party.

Now, if the tendency of the single transferable vote is to place the balance of power in the hands of such candidates, is it really an argument in its favour? If the reader thinks it is, then, by all means let him support that system, for under it the principal parties would certainly lose some seats to such men. It may be doubted, however, if these would have either sufficient power or cohesion to break down party machines, or sufficient directness of purpose to exert any considerable influence for the good of the State. Their vanity would be far more likely to tempt them into making corrupt bargains.

(2) We now come to the second objection that might be alleged against the French system. The encouragement given to grouping might be thought to tend to corrupt bargaining.

Now as long as government by majority exists there will be bargaining, open or secret. Bargaining goes on between the principal parties and between groups within the same party. Even in the Cabinet bargains are made. Is it not better, then, that the electors should be able to see, before the election, what alliances are going to be formed? The French system merely encourages candidates to take the electorate into their confidence. Suppose that we were this moment face to face with a General Election, and that it was to be held on the principle of proportional representation, which would it be better that the electorate should know whether Mr. O'Brien would group with the official Nationalists, and Sir Horace Plunkett with the Ulster Unionists, or that it should be kept in

the dark on these points? The question almost answers itself.¹

3. It may be pointed out that the Royal Commission on Electoral Systems reported that "the Belgian system is foredoomed to rejection by English public opinion." The same remark applies to the French system. Mr. J. R. Macdonald also states that "the British mind would not submit to this [the Belgian] simplest and most efficient form of proportional representation." But why this peculiar bias of the English mind against the system that is admittedly the best from a practical point of view? Apparently the genius of the English nation is so eminently practical that it cannot resist the temptation of endeavouring to work out the practically impossible, and achieving the

¹ The only way that a party which is in a minority and must remain in a minority may hope to make its representation effective is by making bargains; and every system of proportional representation, including the present or single-member system, favours bargaining, by giving representation to such minorities. That being so, the logical course is to permit grouping, and thus make the system perfectly elastic. If, however, an attempt were to be made to prevent bargaining at all costs, then, probably, the best course would be to poll the whole country as a single constituency, and adopt the block vote. This would mean the extinction of the minority during the life of each Parliament. A Government being thus uncontrolled by any Opposition in the House would have to control itself. Much might be said in favour of such a system. In other words, it would seem best either to represent minorities faithfully, or else not to give them any representation at all. Each extreme logical course would work out better than a compromise which only prevents the representation of minorities from being farcical by encouraging the representatives to be corrupt.

distinction of blundering through somehow or other. Hence, if it is to give up the present attempt to fit a two-party system of election to a three-party state of political opinion, it must adopt the complex system of the single transferable vote, with all its practical objections. But need this peculiarity of the English mind count for much in Ireland? We, God help us, like to make things easy.¹

¹ One may argue the merits of a system in the abstract; one may go further and consider how far it is adapted to existing conditions in England or Ireland: but it seems quite impossible to devise any argument to meet the confident superiority of the man who bases his opinions on prophecies as to English public opinion. It is hard to see why the English individual mind should have such distrust of the collective mind. It may be remembered that Mr. Lecky, an advocate of proportional representation and the single transferable vote, did his best to ruin its prospects by the following remark:—"I do not think that, if Mr. Hare's system were adopted, there would be any great difficulty in working it, and it would probably materially improve the Constitution; but it is very doubtful whether, in a democratic age, public opinion would ever demand with sufficient persistence a representation of minorities, or whether the British nation could ever be induced to adopt a system which departs so widely from its traditional forms and habits." (*Democracy and Liberty*, Shaw ed., vol. i, pp. 269, 270).

CHAPTER V.

THE SINGLE TRANSFERABLE VOTE SYSTEM.

THE essential features of the single transferable vote system are:—

- (1) That the constituencies return at least three members;
- (2) That the elector has only one vote;
- (3) That the elector's vote is transferable from candidate to candidate *seriatim*, without restriction, according to a series of preferences indicated by the elector, so that, if it proves ineffective for the candidate first preferred, it may become effective for the candidate next preferred, and so on;
- (4) That every candidate is elected who obtains that number of votes, called the quota, which is the least number that cannot be obtained by more candidates than there are seats.

The elector accordingly votes by placing the figure 1 opposite the name of the candidate whom he most desires to see elected, and, if he wishes to provide against the possibility of his vote for that candidate being wasted, either by reason of that candidate obtaining too few votes to secure his return, or by reason of his obtaining unnecessarily many, he places the figure 2 opposite the name of the candidate whom he

next prefers, and, if he wishes to provide for similar contingencies in the case of such second candidate, he places the figure 3 opposite the name of a third candidate, and so on. The quota, in order to comply with the above definition, is obtained by adding one to the number resulting from dividing the total of votes by one more than the number of seats—fractions being neglected. Thus, if there are three seats, the quota is one-quarter of the total votes polled plus one, for only three candidates can get this number. If the number were one less, that is, a quarter, then four candidates could, of course, each get a quarter of the total votes polled. Obviously on this system, as on all systems of proportional representation, the larger the constituency the greater the chance of a relatively small minority obtaining a representative. In a constituency returning five members the candidate approved by the minority need only obtain a sixth plus one of the total votes polled in order to secure election. Further, in the case of the system under consideration, it is not necessary that the quota obtained by the candidate approved by the minority should be made up even to a large extent by votes cast by the minority that prefers that candidate to any other. It may be made up mainly of the votes of electors who, if their votes cannot be effective for a member of their own party, would prefer that such candidate should be returned in preference to one of an opposite party. This system is, therefore, rightly or wrongly, peculiarly favourable to minorities standing in a middle position between larger parties.

The operations necessary to give effect to the system

may now be shortly described from the returning-officer's point of view. The ballot-papers have first to be mixed, in accordance with the rules contained in the First Schedule to the Ballot Act, 1872; and then the returning-officer has to draw out all ballot-papers which he rejects as invalid. A ballot-paper is invalid on which (1) the figure 1 is not marked; (2) or the figure 1 is set opposite the name of more than one candidate; or (3) the figure 1, with some other figures, is set opposite the name of the same candidate; or (4) any mark is made not authorized by the Ballot Act as proposed to be modified. The ballot-papers are then sorted into separate parcels, according to the first preferences indicated. The number of papers in the parcel of each candidate is then counted, and the total number of votes polled by all the candidates is added up and the quota ascertained. Any candidate whose parcel contains a number of papers equal to or greater than the quota is then declared elected. Should this result in the required number of candidates being declared elected, the process is, of course, at an end. But in practice this has never been known to happen. Generally one or two candidates are declared elected as the result of the first count, and their surplus votes have then to be distributed. The larger surplus is dealt with first. As the surplus votes are transferred to candidates marked as second preferences, it is important that the particular papers selected for transfer should be representative, and that as little as possible should be left to chance. So, first of all, any ballot-papers that do not indicate second

preferences, and which, therefore, would be incapable of transfer, are sorted out and placed in a separate parcel for retention by the candidate first named. The remaining papers are sorted into separate parcels according to the next available preference—that is, according to the candidates, other than any already declared elected, who are indicated as next preferences. The surplus votes for transfer are then taken proportionally from each of these parcels. Thus, if one candidate is marked as second preference on twice as many papers as another candidate, he obtains twice as many transferred votes. The particular votes transferred from each sub-parcel are those last filed in the sub-parcel. No precaution is taken to make the selection in this case representative as between candidates marked as third preferences. When the largest surplus is distributed, then, even though there may have been a second smaller surplus awaiting distribution as the result of the first count, that is to say, another surplus in equal priority of origin, the returning-officer does not proceed to distribute this surplus forthwith, but stops the process of transfer, and declares a result. If a candidate has obtained a quota as the result of the transfer made, he is declared elected. If, therefore, his name appears as second preference on any of the papers of the candidate having the next largest surplus, he is not an available preference, and the vote goes to the next preference for an unelected candidate. This, we shall see, may be very fortunate for the candidate having the smaller surplus, as his party may thus escape contributing to the return of the

candidate last declared elected, who may have happened to be a popular non-party man voted for against instructions. When the surplus votes are distributed, the candidate having the smallest number of votes is eliminated, and his votes, being ineffective, are transferred to the next available preferences, for the purpose of making them, if possible, effective to return some other candidate. This process, relieved from time to time by the declaration that another candidate has been elected, and the distribution of his surplus votes, if any, is continued until the requisite number of candidates is returned.

The actual rules, which will be found set out in full in Appendix C, provide for certain contingencies which it was not necessary to notice in the above short account. A sufficient explanation has, it is hoped, been given to render intelligible the criticisms that follow.

(1) The advocates of this system at one time contended that a candidate's surplus votes might be taken simply from the top of his parcel. Suppose, say, that the surplus was 200, and that the top 200 papers were taken and were found to contain eighty papers with second preferences for some other candidate, it was shown that the chance of another 200, taken at random, containing, say, ninety papers, with second preferences for that other candidate, was small, and the chance of this difference affecting the final result of course much smaller. But, in the first place, since the voting-papers come in from different districts having, perhaps, a very different political colour, and since the supporters of some candidates may vote chiefly at certain hours of

the day, it is obvious that the ballot-papers would at the start require to be subjected to a very elaborate process of mixing before the mere mathematical laws of probability could be safely applied. Besides, the man in the street knows very well that, even if a pack of cards is carefully shuffled, the chance of one hand dealt being decidedly above or below the average is not so very remote. Consequently the advocates of the system had to agree to the refinement of consulting the second preferences. But this still leaves the element of chance affecting the third and later preferences. From a purely mathematical point of view, this element of chance may be almost negligible. But the question is, how far does this point of view apply? Suppose that the surplus votes are those of an official Nationalist, and suppose that the supporters of this candidate have all voted for, say, the five candidates of their own party before touching any other candidates, we may then suppose that one-third of the papers—all coming, perhaps, from the same district—indicate sixth preferences for Sir H. Plunkett; that another one-third indicate sixth preferences for the Right Hon. T. W. Russell; and that the remaining one-third indicate no further preferences. Now suppose, further, that the real contest in the election is one between the last-named candidates, who are competing closely for the last seat. Is the chance, then, so very remote that the particular papers selected for transfer may unduly favour one or other of those candidates, and affect the result? The question may be difficult to answer; but it is remarkable that, although the criticism is

continually urged, the Proportional Representation Societies, who have held several model elections, have never, so far as the writer knows, adopted the obvious course of making actual experiments to test the matter. The Belfast model election, at which the Young Ireland Branch of the United Irish League were to be let loose on the ballot-papers after the result was declared, was, unfortunately, unavoidably abandoned.¹

Of course, if experiments were tried, the chance of the result being actually disturbed would be small. An awkward revelation could only take place in a case where there were two candidates running each other very close. But the experiment would call public attention to the fact that differences, whether ultimately material or not, would exist between each result sheet, even though the count in each case were perfectly correct. Hence if any dispute arose at an election, a completely fresh count could not be ordered without endangering results that may have been quite correct.²

¹The abandonment was due to several reasons; but it is to be hoped that the Society will hold another model election in its stead before the Order in Council is prepared.

²The provisions for a recount contained in Rule 13 (see Appendix C, p. 137, *infra*) would, if resorted to, cause the direst confusion. It would be advisable that after the next model election a few ballot-papers, carefully marked, should be supposed to have been wrongly rejected by the returning-officer, and that a recount of all ballot-papers should be supposed to have been ordered. Rule 14 is also clearly unworkable without further elaborate provisions as to the mode of preserving the ballot-papers, and of keeping a record of the precise order in which papers were filed.

With the Belgian or French systems, on the other hand, there is no objection to starting the whole process *de novo*, for there can only be one correct result.

In Tasmania, the only country where the single transferable vote is used for Parliamentary elections, a refinement is introduced to meet such criticisms as the above. Instead of merely transferring the *surplus* (that is, a selected number of papers equal to the excess over the quota), *all* the candidate's votes are transferred, but marked down to the requisite fractional value. This, of course, is a great improvement, but also a great additional complication. As to this the Royal Commission said :—"The additional accuracy of the Tasmanian system in this respect might make the difference of a seat on very rare occasions, but it would not in our opinion repay the extra labour involved. In a small Parliament, like that of Tasmania, consisting of only thirty members returned by five constituencies, the destination of a single seat is of more importance than here; and it is to be remembered that the element of chance decreases with an increase in the size of the constituency, which would be several times as great in this country as in the colony." But this does not touch the difficulty as to a recount.

(2) It is strange that the indefensible rule as to the distribution of the largest surplus first has escaped the criticism of opponents of the system. It would even, as a rule, be *simpler*, after distributing that surplus, to go on and distribute any other surpluses that had arisen as the result of the same count, instead of stopping and declaring a result. In the few cases where a

candidate obtained more than a quota as the result of surplus votes transferred from two or more candidates, there would be no simplification, since it is obvious that the surplus which such candidate would obtain should not be taken from the votes last transferred, but proportionately from all the votes transferred to him since the last count. But these rare cases are precisely those in which stopping after the distribution of the largest surplus and declaring a result might work serious injustice. Suppose that A, B, C, D are Nationalists, M a popular non-party man, and X, Y, Z, Unionists. Suppose also that, as the result of the first count, A has a surplus of 600 votes, and X a surplus of 400 votes, and that M has 40 votes less than a quota. Further, suppose that, contrary to instructions, 10 per cent. of both A's and X's supporters have given second preferences to M. If A's surplus is distributed first, 60 of his votes go to M. The others, and, subsequently, 20 of the 60, go back, presumably to A's party, and he altogether loses 40 votes to M. As M is then declared elected, he is no longer an available preference, and the whole of X's surplus of 400 goes, presumably, to X's party. If, on the other hand, X's surplus had been distributed first and a result declared, he would have lost the 40 votes to M, and A's whole 600 would have gone to his party. This might easily mean the difference of a seat. Of course, the proper thing to do would be to delay declaring a result until all surpluses arising as the result of the same count were distributed, and then, if any candidates obtained a surplus as the result of the transfer of votes from different candidates, to take the

surplus proportionately from all the votes transferred to that candidate since the last count.¹

(3) The order in which candidates are eliminated may also make a serious difference in the result.

¹ The writer first drew attention to this defect of the rules at a committee meeting of the Young Ireland Branch of the U.I.L., and the Hon. Sec., Mr. Hector Hughes, wrote several letters to the Press on the subject. Mr. Aston replied on behalf of the Proportional Representation Society of Ireland, and, as a result of the correspondence, a Conference was arranged. The Conference was held on the 6th of September, 1912, and Mr. J. H. Humphreys attended on behalf of the English Society. The writer produced ballot-papers which showed how Nationalist candidates who obtained an absolute majority of first, second, third, fourth, and fifth preferences, only secured three out of seven seats as the result of the largest surplus being distributed first. If the two surpluses which arose on the first count were distributed before a result was declared, they obtained the correct number. It was contended on behalf of the Proportional Representation Societies (1) that in practice both parties would have voted solidly for their own candidates before giving preferences to the middle-party man, and (2) that if some of the Nationalists gave second preferences to a middle-party candidate, they could not object to the surplus votes going to that candidate. To these points it was replied: (1) that if parties voted so solidly for a party ticket, it would be simpler to adopt a list system at once; (2) that the same difficulty might arise at a later stage; and (3) that while Nationalists could not object to surplus votes going to a candidate marked as a second preference, they had a right to object that all the requisite votes should not be taken from them when the supporters of an opposing candidate with a surplus had equally given away second preferences, but that both surpluses should be drawn on proportionately. The controversy then turned on the increased complication of the rules. It was shown that there would be no extra complication, but rather the reverse, except in those cases in which the distribution of the largest surplus first might

Suppose that D (Nationalist), M (Ind. Unionist), and Z (Unionist) are three continuing candidates, and that one seat remains to be filled. The quota is, say, 800, and D has 410 votes, M 400, and Z 500. Then M is eliminated, and his votes may be supposed to be transferred to Z, who is declared elected. But if D were eliminated before M, we may easily suppose that his votes would go to M, who would be elected. The injustice of the result appears even more striking when we reflect that, if D had had 11 votes less, his supporters would have succeeded in returning M instead of Z, as they desired to do.¹

(4) When a candidate obtains more than a quota, and a surplus has consequently to be transferred, any

work injustice. The Conference eventually unanimously recommended an alteration in the rules. The English Society subsequently decided not to make the alteration, as any change in the rules was always prejudicial to propagandist work.

Since the largest surplus would in most cases be the surplus of one of the candidates of the majority party, the existing rule operates distinctly in favour of the minority. Hence, if the object of the system is not so much to secure proportional representation as to protect minorities by giving them an undue advantage, the above criticism loses its point.

It should be remarked that, when the question of additional complexity arose, Mr. Humphreys seemed to represent the operations necessary for giving effect to the single transferable vote as far more complicated than is admitted in public.

¹ The Report of the Royal Commission, par. 76, states that a case was put to the Commission "to show that with certain dispositions on the part of the electors, the representation of a party might be so much at the mercy of the order of elimination, that while it would only obtain one seat with 19,000 votes of its own, it would obtain two with 18,000, because in the latter case the order of elimination would be reversed."

papers that do not indicate further preferences are retained for that candidate. Nevertheless, in model elections at all events, when the final stages are reached, a fairly large number of votes have to be put aside as exhausted preferences. These wasted votes often amount to about half a quota. It naturally occurs to one that the wasting of these votes is generally quite unnecessary. Let us take them up and examine them. On many of them first preferences are indicated for candidates that have been declared elected. They might just as well have been used to return the elected candidate, who, probably, has a large number of papers retained for him which indicate preferences for continuing candidates. Suppose that on fifty of the papers, laid aside as exhausted preferences, first preferences were marked for A, who has been returned. Why not take from A's parcel the first fifty papers that indicate preferences for continuing candidates, and substitute the other fifty that might just as well be used to return the elected candidate? This would substitute fifty papers indicating preferences that might be effective in place of fifty that were merely wasted. In the case of other exhausted preferences, the second or third or a later preference might be for an elected candidate. These might similarly be given to the elected candidate first indicated on the papers laid aside, and papers indicating votes that might be effective might be drawn out. As the principle of the system is to make votes effective as far as possible, the above substitution ought certainly to be made. If the exhausted preferences were few, the substitution

would not be troublesome; if they were many, it might have a very decisive effect. Any effect it could have would be correct on principle.

(5) One might easily excuse the complexity of the rules required to give effect to the single transferable vote if such complexity resulted in something approaching theoretical perfection. But the foregoing criticisms will probably convince the reader that such perfection is far from being attained. We may now inquire whether the point of view implied in the system is fundamentally sound or not.

It would be easy to defend the system of voting for candidates for some post involving the discharge of executive duties by means of a single vote made transferable according to a series of preferences. And even in an election for a representative in Parliament, there is much to be said in favour of such a method of determining the best candidate of a particular party to represent electors of that party. But it is obviously absurd to ask a Conservative, say, whether he would prefer to be represented by a Liberal or by a Socialist. Yet on the single transferable vote system the question always comes down to this, once the voter has marked preferences for the candidate of his own party. This system says to the electors of a constituency: "The red party are entitled to three whole red candidates, and three-sevenths of a red candidate in addition; the blue party are entitled to two whole blue candidates plus two-sevenths of a blue candidate, and the yellow party are entitled to one whole yellow candidate plus two-sevenths of a yellow candidate. Now, it is quite

easy to give the parties the whole candidates to which each is entitled, but it is impossible to divide the other candidates into the proper fractions. Hence the only expedient is to select a grey candidate who, it is hoped, will side sometimes with one party, and sometimes with another, and thus make things fair. List systems, on the other hand, give the odd seat to the party entitled to the largest fraction, and say that any unfairness will tend to disappear in the aggregate of results of elections in a number of constituencies.

The unsoundness of the standpoint of the single transferable vote as above described will become more obvious if we suppose that the grey candidates have a certain backing, and stand for a grey party. The grey electors not alone obtain their quota of representatives, but they also obtain representatives for every quota made up of the fractional remainders of the other parties in a large number of constituencies. According to the system as originally propounded by Hare, the whole country formed one constituency, and the advantage of the grey party was at a minimum. But now that, for practical reasons, the constituencies are made small, the advantage to the grey party gives them a disproportionately large representation. The system ceases to be one of proportional representation as far as the grey party is concerned.

(6) In the foregoing criticism we dealt with the case of electors of what we called the red, blue, and yellow parties preferring to be represented by a grey candidate, rather than by one of an opposite party. But what of the next preference? What is the meaning of an elector

of the red party preferring to be represented rather by one blue candidate than by another blue candidate? Neither represents him at all, and yet he is asked to say which would better represent him. Obviously there is no real sense in the question. It has been urged as an objection against some list systems—those which give the elector as many votes as there are seats, without allowing him to cumulate his votes—that they encourage an abuse of *panachage*, that is, the practice of voting on an opponent's list. Mr. Humphreys says that “the problem hardly arises with the single transferable vote.” The reason is that on the latter system the encouragement of the abuse is elevated into a principle. When the supporters of one party have indicated preferences for all the candidates of their own party, and then for compromise candidates, there is nothing for them to do but to set about wrecking the representation of their opponents, which they can do with perfect safety.

(7) Quite apart from the fact that an elector of one party is not represented in any true sense of the word by a candidate of another party, and that the single transferable vote system consequently rests on a complete misconception of the meaning of representation for political purposes, the assumption that every elector can place any number of candidates in an intelligent order of preference is unfounded. The average elector can only place the leaders of the party in a real order of preference. As between two or three of the rank and file of the party he has no genuine preference. Yet in order to exercise his privileges to the full, and avoid,

perhaps, losing his party a seat, he must indicate preferences in such a case. Perhaps he has heard one of the candidates speak, or seen his name frequently in the newspaper, and so he votes for him ; and that vote may count equally as a late preference with votes given in first preference for another candidate by a small circle who know the other candidate intimately. This system, in forcing electors to give preferences which in most cases must be unreal, exaggerates the influence of local "limelight." As between this influence and the influence of the party organization surely the former is the more unhealthy. Certainly the system must give an enormous influence to the Press.

In this connexion an important paragraph of the Royal Commission Report may be quoted : " We are bound to draw attention to the fact that in Australia the opportunities for party intrigue and the gratification of personal ill-feeling which are conferred both by the power of using and by that of withholding preferences, have been found to produce regrettable results. In considering such possibilities it is well to recollect that in this system, as in the second ballot, whenever two candidates of one party are left in the final struggle the destination of the seat will be decided by the second votes of the opposing party ; and further, that a second vote will be regarded by many more lightly and used less 'politically' than a first." If this is true of the application of the alternative vote to single-member constituencies, it is much more true of the single transferable vote and the late preferences, which under that system generally decide the destination of the last seat.

Mr. Humphreys attempts to meet this criticism by showing the percentage of first and later preferences that were effective in the Tasmanian elections. He says: "The Royal Commission express the opinion that late preferences may have an undue weight in deciding the result of an election. But the Commissioners seem to have been unnecessarily alarmed in this matter. A careful analysis of the preferences recorded in the Tasmanian elections was made by a committee appointed for the purpose by the Tasmanian Government. This committee ascertained that the comparative values of the various preferences in determining the result of the election were as follows:—

1st preference	.	.	.	.	·739
2nd ,,	.	.	.	.	·140
3rd ,,	.	.	.	.	·051
4th ,,	.	.	.	.	·029
5th ,,	.	.	.	.	·014
6th ,,	.	.	.	.	·008
7th ,,	.	.	.	.	·009
8th ,,	.	.	.	.	·008
9th ,,	.	.	.	.	·003

In other words, 73·9 per cent. first preferences became effective votes, 14·0 per cent. second preferences became effective votes, and so on." At first sight this seems a complete answer. But no one disputes that in a constituency returning, say, seven members, the election of five or six of the candidates will be determined mainly by first preferences. Those five or six candidates would be returned under any proportional system. The criticism is directed to the mode of determining the destination of the odd seats in each

constituency, which are the seats which mainly decide what party is to be in a majority. The exaggerated influence which the present system gives to the small body of movable opinion that shifts from side to side, and makes the pendulum swing, is under the single transferable vote transferred to the late preferences of the electors. This is the basis of the hope entertained by some advocates of the system that it will undermine party allegiance. But whether, if it did, it would substitute a more rational influence is doubtful.

(8) The warmest advocates of the single transferable vote will generally be found to be those who look with strong disfavour on the system of party government, and who believe that this peculiar method of securing proportional representation would result in the return of what are called "the best men" to Parliament. That the return of such men is a thing in itself pre-eminently desirable is assumed as axiomatic. Underlying this view there seems to be the curious notion that an assembly of the best men could be chosen irrespective of political opinions, and that they could then come together and evolve the best policy as the resultant of their united excellence. In particular there is a prevalent notion that this would be the most suitable method to adopt in the selection of the first Irish Parliament. The single transferable vote is hailed with delight by many who suppose that it is an ideal system for carrying out an election on such a basis.¹ Those who take this view

¹ As Professor Commons says :—"The Hare system is advocated by those who, in a too *doctrinaire* fashion, wish to abolish political parties." ("Proportional Representation," p. 104.)

do not imagine that such a basis would be a sound one under existing circumstances, or so long as the present dominant issue remained undecided. With that issue in the balance the best man for a Nationalist must be a Nationalist and for a Unionist a Unionist. Indeed such a basis could not be sound at any time at which any concrete issue was at stake. The view simply reflects the vagueness of thought of those who feel that their own minds will become bankrupt of political ideas once the present question is settled. Their minds are a misty grey, and so they naturally desire to be represented by a misty grey Parliament. But those who have a clearer sense of the concrete issues that will emerge no less naturally desire a Parliament of more decided colour, and are anxious to see the flags hoisted as soon as possible.

Further, it is not the assembly of the best men that is required, but the best assembly of suitable representatives. Such an assembly must include a rank and file as well as competent leaders. The single transferable vote is not a method of election which, when left to itself, is calculated to secure the return of the most efficient rank and file. It is too much a "lime-light" system. For this reason party organizations cannot afford to leave it to itself. And in practice they never do so. They rely upon the criticisms and objections above urged as an ample excuse for issuing the most explicit party instructions, and destroying the supposed elasticity of the system. This gone, it is left with nothing but its inherent complexity, and a certain

indefeasible capacity for entrusting the balance of power between parties to a group of nondescripts whose qualification is, not that they are representative of any party, but that they are equally unrepresentative of all.

CHAPTER VI.

COMPARISON OF DIFFERENT SYSTEMS.

EACH actual system of proportional representation involves a decision on a number of points. But the decision of the best actual system on each of these points may not be correct, and the best possible system might be one that made a selection of different features from different systems. It would, therefore, seem advisable to separate the different points that arise for decision, and to consider the best answer that is or can be given on each. Following this course we may ask :—

1. Should the candidates be divided into lists and the seats be primarily divisible between such lists ?
2. If so, what method should be adopted for the division of the seats between the lists ?
3. Should lists be allowed to group for the purpose of a preliminary division of seats ?
4. What is the best method to adopt in order to determine the relative priority of candidates on the different lists respectively ?

(1) To consider the first point fairly we should compare two systems which only differ on the one point of the adoption of lists. Hence we should take the single transferable vote system and contrast with it a list

system that adopts the single transferable vote for the determination of the priority of the candidates on the lists, or, as we may put it, the single transferable vote system simply modified by the introduction of lists.

Now, although we have reduced the question to a net point, undoubtedly that point may be considered from a double point of view, namely, that of the competition of parties and that of the competition of individuals; for individuals might complain that the introduction of lists gives the caucus the opportunity of excluding them from the official party list.

Now, so far as concerns the competition of parties, the advantage of allowing lists is indisputable in all cases where the contest is one between *large* parties and is spread over a number of constituencies. For the precise difference between the operation of the two systems in such cases is simply this. Under both systems each party would secure the return of one of its own candidates for every full quota of votes it obtained. Then as to the contest between the remainders the list system would fall back on the present and allot the odd seat according to the majority rule. In this struggle each party would stand an equal chance of returning one of its own candidates, and by means of its own votes. But without lists, while each party would stand an equal chance of getting one of its own candidates returned, in many, if not most, cases the selection of the candidate so returned would rest with the opposing party or parties. Now, those who would say that it is better that the selection of candidates from one particular

party should rest with the supporters of a different party, than that candidates returned from a particular party should be chosen by the supporters of that party, simply strike at the root of all theories of representation.

If, however, a small compromise party were in the field, it would gain an advantage from the absence of lists so great as to ensure a largely disproportionate return of its representatives. For suppose that in the election of seven members for a constituency the stage has been reached when six members have been declared elected. Further, suppose that the quota is 1000, and that a candidate of each party is left in to compete for the last seat, namely, D with 600 votes, M (the candidate of the compromise party) with 400, R with 500, and Z with 300. Then Z is eliminated, and his votes go to M. Next R is eliminated, and his votes go to M also, and M is accordingly elected. Now, under the list system, D would have been elected in the above case, and some might object that this would be wrong and that the election of M was right, since 12,000 out of the 18,000 preferred M to D. But this reasoning only sounds plausible when the result of the one constituency is considered. But suppose the same result repeated in ten constituencies. We may then adopt the standpoint of proportional representation and regard the election of a member for the last seat in each of the ten cases as an election for ten members in a ten-member constituency. Each of the parties would then have received at least two quotas, and should obtain at least two seats; but, on the system criticized,

the compromise party would obtain the whole ten. In other words, the return of the compromise candidate in a large number of constituencies, which is alleged to be correct on principle, is only the result of the division of the whole electorate into relatively small constituencies, in order to make the system workable, and is the direct contrary of the system as conceived by Hare. It is an anomaly arising from the adaptation of the system to practical requirements. Taking the electorate as a whole, the list system would tend to produce results more in accordance with what would be correct on the fundamental principles of proportional representation. The modification of Hare's scheme by the reduction in the size of constituencies necessitates the introduction of lists in order to obtain results in accordance with his principles.

Now, what is the argument which the advocates of the single transferable vote system put forward against the introduction of lists? It is simply a complaint against the alleged injustice of not allowing the elector, after he has indicated preferences on the list of candidates that would represent him, to go on and mark preferences on the lists of candidates that would not represent him, and thus make his vote effective. The great thing, according to this system, is to make the elector's vote effective; whether it is made effective for a really representative candidate or not is a matter of indifference. But here two points are overlooked. First, with lists the elector's vote is not necessarily ineffective simply because it is one of a remainder of votes over a multiple of quotas. It stands its chance

of being effective to return another member of the party first preferred. Taking a number of constituencies together, each party will probably obtain its fair share of the odd seats. Secondly, the alleged freedom given by the absence of lists is in truth a compulsion to indicate unreal preferences under penalty of losing an advantage to one's party. Once the single transferable vote is modified by the introduction of lists, an elector gives his party the full benefit of his vote if he indicates a single preference for a candidate on the party list, but without lists his party may lose his vote unless he indicates preferences for all its candidates, although he may have no real reason for making one of the candidates his fourth and another his fifth preference, instead of *vice versa*, and he may fail to make full use of a power possessed by opponents unless, after indicating preferences for those of his own party, he further indicates his least aversions. Surely a system that penalizes an elector unless he indicates a number of unreal preferences can hardly be complimented on the score of the freedom it allows. One might as well say that a fire in a theatre is a good thing because it gives the people a right to go out by the emergency exits. Most electors do not appreciate the right of voting for opponents to avoid losing their votes altogether.

But the above arguments can have no weight with the average supporter of the single transferable vote, inasmuch as his predilection for that system springs from his perception of the advantage which it gives to "grey" parties and compromise candidates. And it is not surprising that most of the financial backing of the

proportional representation societies comes from middle-party men. Such men naturally object to the introduction of lists, which would mean that they could only get in their representatives on the same terms as the other parties, that is to say, only if their candidates could poll a quota, or, at least, obtain a total greater than any remainder competing for an odd seat. Their objection is perfectly natural, and all that the above argument attempted to show was that the objection is not supported by the principles on which proportional representation fundamentally rests.

But the objection urged from the standpoint of the individual competing candidate who complains that the caucus might exclude him from the official list, and thus place him at a disadvantage, seems more plausible. It may be urged that the introduction of lists enables the caucus to carry its influence and its canvas into the very ballot-paper. But this is an over-statement of the case. All that the list tells the voter is that certain candidates are bound together by mutual allegiance and sympathies. It gives him an indication as to how the candidate will vote in Parliament, and an indication which is more trustworthy than mere election addresses. This is a matter on which the elector has a right to be informed in the most reliable manner possible. The caucus has no more influence than the electorate is pleased to acknowledge. It stands or falls by its past record and the amount of confidence which it inspires. If an individual candidate objects to the caucus not including him in the party list, his objection is a merely personal one. If the party, in his opinion,

underrates his merits, he has the electorate as a final court of appeal. If the electorate gives him a quota, he is certain of election, and he may be elected with less than a quota. If he fails, it is only because the electorate trusts the caucus, bad name and all, more than it does him.

But it is extremely doubtful whether the individual above in view, supposing him to have real merit, would not be better served by the introduction of lists. In the absence of lists he simply gets nominated, and the caucus delays giving him any indication as to their attitude towards his candidature till the last moment. They then put up a number of candidates equal to the number of seats to be filled, and issue their instructions, simply ignoring our friend. His prospects are then probably far less bright than his prospects would have been, under a list system, of forcing himself on to the official list, or, at least, of forcing the official list to group with him—in either of which cases his return might have been assured. With lists he would be able to force the party to take a positive action, instead of merely ignoring him, and this action, if hostile, might be resented by the electorate, and place him in a better position (with the advertisement of having been obliged to stand on a separate list of his own) than if he were merely one of a string of names not marked in any way. It is admitted that the Belgian system tends to make parties inclusive rather than exclusive¹; and this is much more so where

¹ "Proportional Representation," by J. H. Humphreys, p. 311, where Mr. Humphreys, speaking of the Swedish

grouping is allowed. Indeed it is hard to see how a list system such as that contemplated gives the caucus anything more than its legitimate influence, whereas the absence of lists seems to give it opportunities for a somewhat unfair treatment of recognized supporters. On paper the absence of lists operates very differently from the way it would do under concrete conditions.

But even the suggestion that the caucus may have any legitimate influence would be resented by some. There is, in fact, a good deal of nonsense talked about the caucus. In truth its influence springs from the

system, says:—"It would tend to make party discipline more strict, and parties exclusive rather than inclusive, as is the case in Belgium." On the same page Mr. Humphreys writes:—"Recent experience in Belgium, however, would tend to show that a greater knowledge of their power has induced more and more electors to make use of the opportunity which that system allows of expressing individual preferences. If we regard a party as consisting of two groups—those that follow the party lead, and those which, whilst supporting the party, desire to assert their own preferences—then as between these two groups the Belgian system is strictly fair. If a party wins seven seats, and four-sevenths of the party support the official list, this group would obtain four out of the seven seats. . . . The Belgian method has induced parties to welcome the support of all sections, knowing that such sections will not obtain more than their fair share of influence." There does not seem to be any reason why parties should not be regarded as consisting of the two groups above named, unless Mr. Humphreys thinks that they should be regarded as including a third group consisting of those who, whilst supporting the party, desire to give away some preferences to opponents. Having regard to the above admissions, it is not surprising that in order to find a decisive ground for preferring the single transferable vote Mr. Humphreys has to fall back on the all-red idea.

nature of things. It springs from the fact that the ideal government by a democracy is subject to certain limitations. The most that a large body of electors can do is to vote on a broad question of principle and express confidence or want of confidence in leaders. An attempt may be made to bridge the chasm by interposing between the general body of electors and the oligarchy at the head of affairs something in the nature of a representative convention. But even this convention, if large, can do little more than vote "yes" or "no" on broad issues. What concerns the carrying out of the wishes of the general body must necessarily be left to the executive, in which the few who are qualified to lead inevitably assume control, and their influence tends to become as wide as is the bearing of practical considerations upon matters of general policy.

Now if by the "caucus," we mean the few who assume control in the above manner, its influence, while inevitably great, is by no means unassailable. The "caucus," so long as it controls, will generally be found to be swimming with the tide rather than against it. A convention may be "engineered" as far as possible, but, when the assembly is faced, the temper of the meeting must be correctly gauged, if the caucus is to retain its power. Indeed, for the most part, the caucus governs by what Quakers call a "practical unanimity." A conflict of opinion readily makes itself felt, and disturbs the sense of unanimity. If it is difficult for an individual to assail the caucus merely on the strength of his fancied deserts, it must not be forgotten that

there is no difficulty in his assailing it with ideas that carry conviction.

The dream that the influence of the caucus would be broken by presenting the elector with a ballot-paper containing a long string of names arranged in alphabetical order, and that the individual electors would make a first-hand investigation of the personal deserts of the various candidates professing to be representative of their party, is fantastic. For one thing, who would silence the Press? And, if the Press is to speak, who is going to control the Press? If members of the Proportional Representation Societies imagine that the caucus can be abolished out of politics by their societies, with the help of the pure and unadulterated single transferable vote, let them ask how far they have succeeded in abolishing the caucus out of those societies themselves. Was it anything but a caucus that attempted to get the proportional representation clauses of the Government of Ireland Bill so framed as to leave no choice as to the system to be adopted? And did the caucus succeed? Apparently not. And when the English society decided not to follow the unanimous recommendation of the conference, to which they sent their representative, and change the rule as to the distribution of surplus votes, on the practical ground that any change in the rules would injure propagandist work, did the decision come from the few thousand members of that society or from a small caucus consisting, probably, of Lord Courtney, Mr. Humphreys and a couple of others? Surely it came from the

caucus. But why complain? If the suggested alteration was correct, the caucus must be beaten in the end. In the drama of political life the power of the caucus is a more appropriate subject for the comic than the tragic muse, and to treat it otherwise is only a sign of weakness.

Reasons have now been offered to show that the introduction of lists is advisable from the point of view both of competing parties and competing candidates. If those reasons are sound, there can be no doubt as to the superiority of a list system, for on all other points, such as simplicity, expense, &c., it has an obvious advantage.

(2) As to the best method to adopt for the distribution of seats, the choice would seem to lie between the d'Hondt method and the method described in the account of the French system. In that account the much-criticized method adopted in the French Bill was not followed. The Droop quota was used, and the advantage of the method lay in its taking more account of remainders. It is thus more favourable to parties which might have a difficulty in obtaining a quota. Thus, suppose that in a seven-member constituency an A list obtained 6000 votes, a B list 4000, and a C list 1300. The d'Hondt method would arrange the numbers thus:—

6000	4000	1300
3000	2000	650
2000	1333	433
1500		

The electoral quotient would then be the seventh

highest number, 1333. List A would accordingly obtain four seats and list B three. List C would obtain none; the reasoning upon which this result depends being that as list B has more than three times as many votes as list C it should obtain three seats before list C obtains one. With the other method the quota would be determined by dividing the total votes, 11,300, by 8 and adding 1. This would give 1413 as the quota. List A would have four quotas with 348 over; list B two quotas with 1174 over; and list C, with its 1300, would then beat both those remainders for the seventh seat.

The Belgian method rests on a simple rule that distributes all the seats at once; but simplicity of this kind is mainly of advantage in propagandist work, and hardly affects actual operations. The advantage of being perfectly fair to the small parties is, on the other hand, a real merit—especially in a list system, one of the objects of which is to prevent the small parties getting an unfair advantage in the matter of transfers. It should, therefore, itself be fair.

(3) As to the advisability of allowing lists to group there can hardly be any doubt. It encourages the formation of wings of parties that are united on main issues, and thus favours the development of natural and healthy political life. It would tend to make voting in Parliament more real, since sections that had stood apart on a subordinate issue would have to vote straight, whether this involved a section of the Opposition voting with the Government or a section of the supporters of the Government voting against it. With

the growing complexity of modern political conditions this greater elasticity is imperative. When so-called party discipline is carried so far that voting in Parliament, not to speak of debates, becomes a farce, when principle is set at naught and scepticism as to the very existence of any such thing as equity or justice in political matters encouraged, the decisions of an assembly that has ceased to be deliberative in anything but name no longer command public respect, and anarchical methods of securing or preventing any legislation that happens to be desired or disliked by a section come to be regarded by many with a lenient eye, as if they were natural incidents of political warfare.

(4) The merits of the single transferable vote only appear where the contest is rather between persons than between parties, and the question is not one of proportional representation at all ; and hence it is obvious that the case for adopting it as a method of determining the relative priority of candidates on the same list is much stronger than the case for attempting to secure proportional representation solely by its means. But, although the introduction of lists greatly reduces the complexity of the operations, there would be no simplification of the rules, and it would require some great advantage in the method to counterbalance a sacrifice of the simplicity of the Belgian method.

Undoubtedly the main objections against the single transferable vote do not apply where there are lists. The element of chance may be eliminated, and a recount made possible by the adoption of the method of transfer at fractional values ; and the report of the

Tasmanian elections states that the complexity of this method is affected more by the number of candidates than by the size of the constituency. As each list would be dealt with as if it were a separate constituency, so far as concerns the application of this method, the complexity on this score would be reduced to a minimum. Then with lists an elector is free to confine himself to marking his real preferences without incurring any penalty. His vote will at least be effective for his party. The other main objections are obviously inapplicable when the system is modified by the introduction of lists.

Further, it does not seem that the method would give rise to at all as much personal antagonism between candidates of the same party where these candidates stand on the same list as when they are simply let loose at each other's throats. Speaking of the unmodified system as in use in Tasmania, the *Times* observed:—"It seemed at first as if this new system was going to do away with many of the unsavoury features of the single-seat contest. It seemed to make it possible for a man to run successfully on purely political lines—on his public record in the past, and his general political appeal in the present. That dream is shattered. Candidates are faced with much of the old necessity of fighting and scheming for personal support, under conditions which are worse than the old ones; for they must do so against their friends; and they must do so in constituencies six times larger, where the size adds to the expense of time and money, and to the coarseness of the electioneering methods." Of course,

every system of proportional representation must be more or less open to this objection. Candidates of the same party are obliged to contend among themselves as well as against opponents. But the introduction of lists would seem to reduce the evil to a minimum. The main contest—the contest for inclusion in the official party list—is not waged in public. Then, once included on the same list, candidates of the same party could hardly attack one another. They would have to rely mainly on advertising themselves by the eloquence of their appeal to principles. They could not impugn each other's political credit. Even a single candidate on a separate grouped list would have to set some bounds to the advocacy of his claims.

But lists, furthermore, provide a practical expedient for preventing any sharp personal contest. For with lists the canvas of the constituency would naturally, to avoid expense, be divided between the candidates, each of whom would confine his main canvas to a particular area. Without lists each candidate would have to fight every other all along the line. This evil would at least be very considerably mitigated.

But a reason is still to seek for preferring the single transferable vote to the Belgian system, as a method of determining the priority of candidates on the same list. That there is one serious argument must be admitted. A popular candidate, A, may obtain a large surplus divisible equally between C and D, although majority of A's supporters might prefer D to C. Under the single transferable vote C and D would each get his proper share of A's surplus. This is the

peculiar merit of that system. Whether the danger which it would prevent is sufficiently serious to make its adoption advisable, in preference to the simpler method, is a difficult question to answer. Certainly, *as a general rule*, the candidate who had a majority of the second or third preferences, as the case might be, on the papers of the popular candidate, would also have a majority of first preferences, and would therefore be safe under the Belgian system. Of course, if either C or D represented a wing of the party, and feared an unfair result, he could stand on a separate list and group. Another alternative suggestion would be to give the elector a vote for every seat allotted to the list. This could be done by allowing him to mark the candidates in the order of his preference. If the list only obtained one seat, then only the vote for the candidates marked 1 would count; if it obtained two seats, then only the votes for the candidates marked 1 or 2; and so on. This, of course, would be the 'block-vote' system; but there is no objection to applying this system to lists of candidates of the same party, whose wings are allowed to group. As to the single transferable vote, which is well adapted to deciding the question of relative personal merits, the only objection is its complexity. This, however, would not apply if the system came into general use in elections for local bodies, which should not be fought on political grounds. However, the Belgian system has worked well in practice, and there does not seem to be a sufficiently strong case to justify a modification of it in this respect, at least for the first experiment.

Accordingly the system which it is here suggested would be the most suitable and best for adoption under the provisions of the Government of Ireland Bill would be the Belgian, modified by allowing lists to group and by substituting for the d'Hondt method of distributing seats the method suggested in the account above given of the French system. Such a system would be one of proportional representation and nothing more. It would not attempt to gain other objects that are foreign to its main purpose. The single transferable vote, on the other hand, is actuated by sinister motives, and, attempting to gain collateral advantages, fails largely of attaining its true aim.

It has been already stated that all has not gone well with the single transferable vote in the countries in which it has been adopted. The glowing tales of the success of proportional representation that are told at the demonstration meetings held from time to time in this country mostly relate to the Belgian system, and the speakers generally forget to mention that such success is attained by a system to which they are secretly altogether opposed. To say, therefore, that when the proportional representation amendment was carried it was generally "understood" that the single transferable vote system was intended is misleading. If the general public "understood" this, it was because they fancied, when they were told that proportional representation was practicable since it had been most successful in Belgium, that the system in operation in Belgium was the complicated system explained to them. Hardly any of the general public

understood that there are list systems of proportional representation under which the elector has one transferable vote.

As to the success of proportional representation in Belgium, the official proportional representation publication, *Representation*, against which no complaint is made, contains a very interesting account in a report of an international demonstration in France. The report says:—"One of the most valuable features of the meeting was the consensus of opinion it revealed on the part of the delegates from Belgium, where proportional representation has been longest in operation, as to the great value to their country of this reform." The report then goes on to say:—"Of the many speeches delivered, we select one dealing with Belgian experience, that of M. Lorand. His declaration will be of the utmost value to all those taking part in the fight:—

"‘All Belgian parties,’ said M. Lorand, ‘were equally satisfied with the reform, and the proof of it was to be found in the fact that all parties were represented at the banquet—Catholics (M. Thèodor), Socialists (M. Anseele), Liberals (M. Hymans), and Radicals by himself. It was in their name that he asked permission to give expression to the unanimous feeling of Belgian parties on the subject of proportional representation. In Belgium proportional representation had given excellent results; and if there still remained some inveterate opponents, none of them dared

to fight it openly. As to the parties of the opposition, they demanded its more complete application ; they asked that it should be inserted in the Constitution ; they asked for its extension to elections for Provincial Councils. It was certain that the system of proportional representation as it existed in Belgium would never be changed save for the purpose of rendering it more complete.

“It had been said that proportional representation would stereotype the Chamber of Representatives, that is to say, that the personnel of the Chamber would never be changed. But during the twelve years that proportional representation had been in force, half the members of the House had been replaced by others. At every election very considerable variations, sometimes towards the right and sometimes towards the left, had taken place. There was, then, no stagnation either in party development or in party activity.

“Thanksto proportional representation all parties were represented by their ablest members, whilst under the old system, men like Paul Janson passed half their time outside the Chamber in consequence of the hazards of the majority system. Parliamentary discussion had consequently gained in authority.

“Before the days of proportional representation political life had been killed in that half of Belgium where results had always been known in advance. To-day all parties participated in the

struggle in all constituencies, and it might be said that in nearly every one of them every party obtained representation. But, not only so, the struggle had changed in character. It was known beforehand that the most eminent of the party chiefs would be elected, and therefore the fight centered round principles, not persons. Each party endeavoured to gain votes to ensure for their principles the largest possible representation.

“With proportional representation the opposition parties, so far from splitting into fragments, had closed their ranks. This new method of voting ensured representation for all parties, and so none of them had any interest in seeking the suppression of opponents. Electoral struggles had, however, lost nothing of their intensity, the weapons employed being merely more courteous and more dignified. The prestige of Parliament had undoubtedly advanced since the introduction of proportional representation, and thanks to it the Government had been able to tackle problems which it would not have dared to touch when by so doing it might have offended the representatives of some powerful constituency whose interests would be interfered with by the reform.”

The above is certainly an eloquent and striking testimony to the success of the Belgian system. It contrasts very favourably with the criticisms passed on the single transferable vote in South Africa and Tasmania. If the friends of proportional representation

are desirous of seeing the principle applied over a wider area by the Irish Parliament, they should have little doubt as to the best system with which to make the experiment on the nine constituencies.

There is one other point to which attention should be drawn in a comparison of the different systems. It is the problem of getting over the awkward difficulty of by-elections. No matter what system of proportional representation is adopted, it is obviously impossible to apply the principle to by-elections, unless some such device is resorted to as waiting until three or more vacancies arise and then holding the election in a representative constituency—meaning by a “representative constituency” one that at the last General Election returned candidates of the same political colour, and in the same proportions, as the candidates whose seats have become vacant. To poll the whole constituency would clearly be unfair if the member whose seat had become vacant had been returned by a minority in the constituency. A Government, furthermore, could not afford to give office to a member who was not returned from a constituency where it was in a majority. Most advocates of proportional representation would, accordingly, advocate the abolition of by-elections. And in Ireland, at all events, there would be no public demand for their retention, since the political temperature in this country is not subject to such rapid variations as in England. But supposing by-elections were abolished, by what means should the vacancies be filled? A list system provides a ready expedient. For, as under the Belgian system each list may have

appended to it a supplementary list, and the supporters of the list may be allowed to vote for supplementary candidates to fill casual vacancies. But the single transferable vote system does not readily lend itself to any such device.

Under the provisions of the Government of Ireland Bill each of the four Provinces will form a single constituency for the election of senators. Ulster is to return 14 senators, and every time a vacancy arises—and with so large a constituency this would probably happen frequently—the whole Province will have to be polled. Certainly, only persons of considerable means could afford to contest a by-election under such circumstances. This in itself should be sufficient ground for resorting to the expedient provided by lists.

APPENDICES.

APPENDIX A.

AGGREGATE VALUE OF MAJORITIES OBTAINED BY DIFFERENT PARTIES AT ELECTIONS.

UNDER our present single-member constituency system a majority of 5,000 counts no more than a majority of one. Hence, the majority which one party obtains in one constituency, and for which it only obtains one seat, may considerably outweigh the aggregate majorities obtained by another party in a number of constituencies, and for which the latter party obtains a number of seats. This is one of the stock arguments in favour of proportional representation. On the other hand, it is alleged that, where the number of constituencies is as large as 670, good and bad luck will probably be fairly evenly distributed all round. The figures in the paper read by Mr. Rooke Corbett to the Manchester Statistical Society would, at first sight, seem to point to a different conclusion. However, since the majorities that should have been obtained at the different elections, according to Mr. Corbett's calculations, always differ from the actual majorities by being very considerably smaller, instead of being sometimes smaller and sometimes larger, as might be expected if the discrepancy was due to any mere play of chance, the startling results on which the Royal Commission laid such stress may fairly be attributed to such causes as implied redistribution, and increase in the size and reduction of the number of constituencies.

To test this question the writer, in an article contributed to the *Westminster Review*, June, 1911, estimated the value

of the majorities obtained in the different constituencies at the January, 1910, election. The following is an extract from that article :—

“ Suppose the division into the different constituencies is to be respected, and an evaluation to be made of the different majorities separately considered, it is necessary to fix what proportion of the entire votes polled must be obtained as a majority in order to give the full unit value. If a majority of nine-tenths, say, is to be required, then it will be found on experiment that very few members obtain the full proportion. Also, the small majorities are not sufficiently distinguished. If too small a proportion is chosen, then sufficient discrimination is not made between the large majorities. Perhaps nine-twentieths is most suitable and convenient generally. Differentiation need only be carried to one place of decimals. If the member returned gets a majority of eight-, but less than nine-twentieths, he may be allowed nine for his majority, and similarly down to the lowest majority, which would receive $\cdot 1$ as its decimal value. A couple of illustrations of the above method of calculation may be given, taking West Hampshire, South, and Westminster, as examples.

WEST HAMPSHIRE, SOUTH.

		Majority	Decimal value
W. J. Thorne (Labour),	9,508	4,688	$\cdot 7$
Capt. T. W. C. Carthew (C.),	4,820		
<hr/>			
Total votes polled,	14,328		
One-twentieth,	716 $\cdot 4$		

WESTMINSTER.

		Majority	Decimal value
W. L. A. B. Burdett-Coutts (C.),	3,397	2,169	1 $\cdot 0$
H. de Pass (Liberal),	1,228		
<hr/>			
Total votes polled,	4,625		
One-twentieth,	231 $\cdot 2$		

“ In the second of the above cases the full nine-twentieths

majority is obtained, and accordingly the value allowed is 1. In the first, over six- and less than seven-twentieths are obtained, so the decimal value is .7.

"It is further necessary to decide what decimal value should be given in the case of members returned unopposed. Perhaps the best course is to assume, for the purpose of a first calculation, that all such members would have obtained the full nine-twentieths majority. It is not a very violent assumption, and the effect of making other different assumptions may be subsequently considered. It is also necessary to consider what should be done in the case of double constituencies. When two candidates of the same party were successful, and were only opposed by one candidate of another party, the first and third may be taken as if constituting one constituency, and the second and third as if constituting another. When there were two candidates of each party, the first and fourth, and second and third may be taken together. Where there were five, the first, fourth, and fifth, and the second, third, and fifth, may be separately grouped.

"The result of the calculation is to represent the aggregate of all majorities according to their decimal values as 320·1 distributed as follows (the uncontested seats being put in a separate line) :—

		Liberal	Con- servative	Labour	Nationalist	Ind. Nationalist
London	}	6·7	13·7	1·2	—	—
Boroughs,	}	—	2	—	—	—
English	}	14·6	17·7	5·6	1	—
Boroughs,	}	4	10	—	—	—
English	}	22·5	22·1	3·8	—	—
Counties,	}	10	46	3	—	—
Wales,	...	6·7	·3	2·8	—	—
		10	—	—	—	—
Scotland,	...	17	1·3	·9	—	—
		11	3	—	—	—
Ireland,	...	·1	2·9	—	14	2·2
		—	11	—	49	4
		<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
		102·6	130	17·3	64	6·2

“Accordingly the value of the coalition majority is 60·1 out of 320·1, which is equivalent to a majority of 125·7 out of 670. That majority is, therefore, practically unaffected. But the Conservatives, instead of being merely equal in strength to the Liberals, ought to have a majority of 57·3. If, however, it is assumed that the average majority in the uncontested seats would only have been worth ·7, then the coalition majority would be 54·5 out of 271·3, which is equivalent to 134·5, and the estimated majority which the Conservatives should have over the Liberals would be 40·2, out of 670.”

APPENDIX B.

PROPORTIONAL REPRESENTATION ELECTION

No. OF VOTES (*a*), 9019.

No. of

NAMES OF CANDIDATES.	First Count.	2nd Count.		3rd Count.		4th Count.	
		Transfer of Redmond's Surplus Votes.	Result.	Transfer of Plunkett's Surplus Votes.	Result.	Transfer of Carson's Surplus Votes.	Result.
Campbell, Rt. Hon. J. H., K.C., M.P.	799	13	812	109	921	119	104
Carson, Rt. Hon. Sir Edward, K.C., M.P.	1326 (<i>b</i>)	—	1326	—	1326	- 198	1128
Craig, Captain, M.P., . . .	224	6	230	27	257	56	31
Devlin, Joseph, M.P., . . .	382	558	940	13	953	1	95
Dillon, John, M.P., . . .	175	602	777	9	786	—	78
Esmonde, Sir Thomas, M.P., .	113	81	194	25	219	1	220
Nannetti, Joseph P., M.P., .	95	56	151	5	156	1	15
O'Brien, William, M.P., . .	571	68	639	45	684	3	68
Plunkett, Sir Horace, K.C.V.O., .	1446	—	1446	- 318	1128	—	1128
Redmond, John E., M.P., . .	2649 (<i>c</i>)	- 1521	1128	—	1128	—	1128
Russell, Rt. Hon. T. W., M.P., .	782	132	914	25	939	1	940
Sinclair, Rt. Hon. Thomas, P.C.,	457	5	462	60	522	16	538
Preferences Exhausted, . . .	—	—	—	—	—	—	—
Totals, . . .	9019	—	9019	—	9019	—	9019

(*a*) The total number of ballot-papers received was 9064. Of this number 45 were spoiled, and accordingly removed. Of these, 30 were spoiled intentionally, thus demonstrating that over 9000 out of 9019 Voters found no difficulty in marking the papers correctly.

APPENDIX B.

IRELAND, 1911.—RESULT SHEET.

SEATS, 7.

$$\text{QUOTA} = \frac{9019}{8} + 1 = 1128.$$

5th Count.		6th Count.		7th Count.		8th Count.		9th Count.		
Nannetti's Eliminated Votes.	Result.	Transfer of Esmonde's Eliminated Votes.	Result.	Transfer of Craig's Eliminated Votes.	Result.	Transfer of Sinclair's Eliminated Votes.	Result.	Transfer of Campbell's Surplus Votes.	Final Result.	
10	1050	13	1063	211	1274	—	1274	- 146	1128	Elected
—	1128	—	1128	—	1128	—	1128	—	1128	Elected
—	313	4	317	- 317	—	—	—	—	—	—
29	983	44	1027	7	1034	30	1064	7	1071	Elected
43	829	43	872	5	877	7	884	2	886	—
23	243	- 243	—	—	—	—	—	—	—	—
157	—	—	—	—	—	—	—	—	—	—
18	705	64	769	17	786	192	978	59	1037	Elected
—	1128	—	1128	—	1128	—	1128	—	1128	Elected
—	1128	—	1128	—	1128	—	1128	—	1128	Elected
16	956	40	996	8	1004	57	1061	11	1072	Elected
2	540	11	551	51	602	- 602	—	—	—	—
16	16	24	40	18	58	316	374	67	441	
—	9019	—	9019	—	9019	—	9019	—	9019	

(b) Figures in heavy type indicate the point at which each Candidate secured election.

(c) Figures in italics indicate that the number of Votes thus shown were transferred the next available preferences shown on each ballot-paper.

APPENDIX C.

RULES FOR THE TRANSFER OF VOTES AND FOR ASCERTAINING
THE RESULT OF THE POLL (BEING THE SECOND SCHEDULE
TO THE PROPORTIONAL REPRESENTATION BILL, 2 & 3
GEO. 5).

The ar-
rangement
of ballot-
papers.

1. After the ballot-papers have been mixed, in accordance with the rules contained in the First Schedule to the Ballot Act, 1872, the returning officer shall draw out all ballot-papers which he does not reject as invalid and file in a separate parcel those on which the figure 1 is set opposite the name of the same candidate.

Counting
the votes.

2. The returning officer shall then count the number of papers in the parcel of each candidate, and ascertain the total number of valid votes.

Ascertain-
ment of
quota.

3. The returning officer shall then divide the total number of valid papers by a number exceeding by one the number of vacancies to be filled, and the result increased by one, disregarding any fractional remainder, shall be the number of votes sufficient to secure the return of a candidate herein called the "quota."

Candidates
with quota
elected.

4. Any candidate whose parcel contains a number of papers equal to or greater than the quota shall be declared elected.

Transfer of
surplus
votes.

5.—(1) If the number of candidates elected under the last rule shall not equal the number of vacancies the returning officer shall as far as possible transfer from each elected candidate the votes (if any) in excess of the quota (hereinafter called surplus votes) to the candidates indicated on the ballot-papers as next in order of the voters' preference, excluding candidates already declared elected. The votes of the candidate having the largest number of votes shall first be dealt with, and the particular

votes to be transferred shall be determined in accordance with the following regulations:—

- (a) The returning officer shall arrange all the ballot-papers in the parcel of the elected candidate on which votes capable of transfer are given by filing in a separate sub-parcel those on which a next preference is indicated for the same continuing candidate.
- (b) The returning officer shall also make a separate sub-parcel of the ballot-papers in the parcel on which the votes given are not capable of transfer.
- (c) The returning officer shall count the ballot-papers in each sub-parcel, and shall ascertain the total of all the ballot-papers containing votes capable of transfer.
- (d) If the total number of votes capable of transfer is equal to or less than the number of surplus votes, the returning officer shall transfer all the votes capable of transfer.
- (e) If the total number of votes capable of transfer is greater than the number of surplus votes, the returning officer shall transfer from each sub-parcel of votes capable of transfer the number of votes which bears the same proportion to the total of the sub-parcel as the number of surplus votes bears to the total of all the votes capable of transfer.
- (f) The number of votes to be transferred from each sub-parcel under the preceding regulation shall be ascertained by multiplying the total of the sub-parcel by the number of surplus votes and dividing the result by the total number of votes capable of transfer. A note shall be made of the fractional parts (if any) of any number so ascertained.
- (g) If, owing to the existence of such fractional parts, the total of whole votes to be transferred is less than the surplus votes, so many of the largest of these fractional parts, taken in the order of their

magnitude, shall be counted as single whole votes as are necessary to make the total of the whole votes to be transferred equal to the number of surplus votes, and the remaining fractional parts shall be ignored.

(h) The particular votes transferred from each sub-parcel shall be those last filed in the sub-parcel.

(2) The transfer of surplus votes shall be effected by making new sub-parcels of the ballot-papers on which those votes are given, and adding those sub-parcels to the parcels (if any) of the candidates to whom the transfers are made, or, where any such candidate has as yet no parcel, a new parcel shall be formed for him of the ballot-papers on which the votes to be transferred to him are given.

(3) All ballot-papers of a candidate elected under Rule 4 hereof which have not been transferred under the preceding regulations shall be set aside as finally dealt with, and the votes given thereon shall thenceforth not be taken into account.

(4) If two or more parcels of elected candidates are equal in size, the returning officer shall decide which parcel he will first deal with under this rule.

(5) A transfer of votes under this rule shall not be made unless the surplus votes of the elected candidate, together with any other surplus votes not transferred, exceed the difference between the totals of the votes of the two continuing candidates lowest on the poll.

(6) This rule shall take effect subject to the provisions for filling the last vacancy hereinafter contained, and if at any time it shall be possible to fill the last vacancy under those provisions, no further transfer under this rule shall be made.

6. After the transfer of the surplus votes of an elected candidate, any candidate who shall, as a result of the transfer, obtain the quota of votes shall be declared elected.

7.—(1) Unless and until the last vacancy shall have been filled under the provisions hereinafter contained, if, after the transfers directed by Rule 5 or 8, there shall still remain a vacancy, and the votes of any elected candidate

Candidate,
with quota
as result of
transfer,
elected.

Transfer of
surplus
votes arising
from a
previous
transfer.

to whom a transfer has been made are in excess of the quota, the returning officer shall, as far as possible, take from the sub-parcel last transferred to that candidate a number of votes equal to the surplus.

(2) The particular votes to be taken shall be determined in accordance with the regulations given in Rule 5 hereof, in the same manner as if the votes included in the sub-parcel last transferred had been the only votes given to the candidate; the ballot-papers so taken shall be added in separate sub-parcels to the parcels of the continuing candidates (if any) indicated thereon as next in order of the voters' preference, and the votes given thereon shall be transferred to those candidates accordingly. Where any such candidate has as yet no parcel, a new parcel shall be formed for him of ballot-papers on which the votes to be transferred to him are given.

(3) All ballot-papers of a candidate elected under Rule 6 or 8 hereof which have not been transferred under the preceding regulations shall be set aside as finally dealt with, and the votes given thereon shall thenceforth not be taken into account.

(4) After any transfer of votes under this rule any candidate who shall, as a result of the transfer, obtain the quota of votes shall be declared elected.

(5) The process directed by this rule shall be repeated until the last vacancy is filled or until no candidate has any surplus votes to be transferred under this rule, whichever shall first happen.

(6) If at any time two or more candidates have an equal number of votes in excess of the quota, regard shall be had to the number of votes counted to each candidate under Rule 2, and the surplus of the candidate highest on that count shall first be dealt with, but if the numbers of votes on that count were equal, the returning officer shall decide which surplus he will first deal with under this rule.

(7) A transfer of votes under this rule shall not be made unless the surplus votes of the elected candidate, together with any other surplus votes not transferred, exceed the

difference between the totals of the votes of the two continuing candidates lowest on the poll.

Distribution
of votes of
lowest
candidate.

8.—(1) Unless and until the last vacancy shall have been filled under the provisions hereinafter contained, if after the transfers under the preceding rules there shall still remain one or more vacancies, or if no candidate shall have been declared elected under Rule 4, the returning officer shall exclude from the poll the candidate having the lowest number of votes, and shall distribute the votes capable of transfer on the ballot-papers in his parcel among the continuing candidates next in order of the voters' preference. Any ballot-papers in the parcel on which votes not capable of transfer are given shall be set aside as finally dealt with, and the votes given thereon shall thenceforth not be taken into account.

(2) If in any case the total of the votes of the two or more candidates lowest on the poll, together with any surplus votes not transferred, is less than the votes of the next highest candidate, the returning officer, may, in one operation, exclude those candidates from the poll, and distribute their votes in accordance with the foregoing provisions.

(3) After any distribution under this rule of votes capable of transfer, any candidate who has, as a result of the distribution, obtained the quota shall be declared elected.

(4) The surplus votes of any candidate elected under this rule who has received more than the quota shall be distributed in the manner directed by and subject to the conditions of the last preceding rule.

Further
distributions
of votes of
candidates
lowest on
the poll.

9. The process directed by the last rule shall be repeated on the successive exclusions one after another of the candidates with the lowest numbers of votes, until the last vacancy is filled, either by the election of a candidate with the quota or under the next following rule.

Filling the
last
vacancy.

10.—(1) When the number of continuing candidates is reduced to the number of vacancies remaining unfilled, the continuing candidates shall be declared elected.

(2) When only one vacancy remains unfilled, and the

votes of some one continuing candidate exceed the total of all the votes of the other continuing candidates together with any surplus votes not transferred, that candidate shall be declared elected.

(3) When only one vacancy remains unfilled, and there are only two continuing candidates, and these two candidates have each the same number of votes, and no surplus votes remain capable of transfer, one candidate shall be declared excluded under the next following rule, and the other declared elected.

11. If at any time when a candidate has to be excluded under these rules, two or more candidates have each the same number of votes, regard shall be had to the number of votes counted to each candidate under Rule 2, and the candidate lowest on that count shall be excluded, but if the numbers of votes on that count were equal, the returning officer shall decide which candidate shall be excluded.

Provisions
for exclu-
sion of
candidate
in special
cases.

12. The returning officer shall record and give public notice of any transfer of votes made under these rules and of the total number of votes counted to each candidate after any such transfer in addition to the particulars prescribed by Rule 45 to the First Schedule to the Ballot Act, 1872. Such public notice may be in accordance with the form given in the appendix to these rules.

Public
notice of
transfers.

13.—(1) Any candidate or his agent may at any time during the counting of the votes, either before the commencement or after the completion of the transfer of the votes (whether surplus or otherwise) of any candidate, request the returning officer to recount the papers then comprised in the parcels of all or any candidates (not being papers set aside as finally dealt with), and the returning officer shall forthwith recount the same accordingly. The returning officer may also at his discretion recount votes either once or more often in any case in which he is not satisfied as to the accuracy of any previous count. Provided that nothing herein shall make it obligatory on the returning officer to recount the same votes more than once.

Recounts.

(2) If upon an election petition—

- (i) any ballot-papers counted by the returning officer are rejected as invalid, or
- (ii) any ballot-papers rejected by the returning officer are declared valid,

the court may direct the whole or any part of the ballot-papers to be recounted and the result of the election ascertained in accordance with these rules.

(3) Except as in this rule expressly provided, no recount shall be had whether on an election petition or otherwise.

Determina-
tion of
questions as
to transfers.

14.—(1) If any question shall arise in relation to any transfer the decision of the returning officer, whether expressed or implied by his acts, shall be final unless an objection is made by any candidate or his agent before the declaration of the poll, and in that event the decision of the returning officer may be reversed upon an election petition.

(2) If any decision of the returning officer is so reversed, the transfer in question and all operations subsequent thereto shall be void, and the Court shall direct what transfer is to be made in place of the transfer in question, and shall cause the subsequent operations to be carried out, and the result of the election to be ascertained in accordance with these rules.

Definitions.

15. In these rules—

- (1) The expression “votes capable of transfer” means votes given on ballot-papers on which a further preference is indicated for a continuing candidate :

Provided that a vote shall be deemed not capable of transfer in any case in which—

(a) The names of two or more candidates (whether already excluded from the poll or declared elected or not) are marked with the same figure and are next in order of preference, or

(b) The name of the candidate next in order of preference (whether continuing or not) is marked—

- (i) by a figure not following consecutively after some other figure on the ballot-paper, or
- (ii) by two or more figures.

(2) The expression “continuing candidates” means candidates not already declared elected or excluded from the poll.

EXAMPLE OF AN ELECTION CONDUCTED ON THE SYSTEM OF PROPORTIONAL REPRESENTATION SET OUT ABOVE.

Let it be assumed that there are five members to be elected, and that there are ten candidates, A, B, C, D, E, F, G, H, I, K.

The valid papers are drawn from the general heap of ballot-papers, and arranged in separate parcels under the names of the candidates marked with the figure 1 (Rule 1). Each separate parcel is counted and the total of all the valid votes is ascertained (Rule 2).

Arrange-
ment of
ballot-
papers
(Rule 1).
Counting
the votes
(Rule 2).

The result of the count may be supposed to be as follows:—

A	.	.	.	.	.	20,091
B	.	.	.	.	.	9,523
C	.	.	.	.	.	9,392
D	.	.	.	.	.	7,465
E	.	.	.	.	.	4,934
F	.	.	.	.	.	3,416
G	.	.	.	.	.	1,579
H	.	.	.	.	.	1,510
I	.	.	.	.	.	1,162
K	.	.	.	.	.	928

Total, . . . 60,000

It is found that the total of all the valid votes is 60,000. This total is divided by six (i.e. the number which exceeds by one the number of vacancies to be filled), and 10,001

Ascertain-
ment of
quota
(Rule 3).

(i.e. quotient 10,000 increased by one) is the number of votes sufficient to elect a member, and is called the "quota" (Rule 3).

Candidate
with more
than the
quota
elected
(Rule 4).

A's votes exceed the quota, and he is declared elected (Rule 4).

FIRST TRANSFER.

Transfer of
surplus
votes of
elected
candidate
(Rule 5).

A has 10,090 (i.e. A's total 20,091 less the quota, 10,001) surplus votes, and it is necessary to transfer this surplus (Rule 5 (1)).

All A's 20,091 voting papers are examined, and arranged in separate sub-parcels according to the second preferences indicated thereon (Rule 5 (1) (a)).

A separate sub-parcel is also formed of these papers on which no further available preference is shown, and which are therefore not capable of transfer (Rule 5 (1) (b)).

The result is found to be as follows (Rule 5 (1) (c)) :—

A next available preference is shown for D on 2,181 papers.

"	"	"	"	E	"	101	"
"	"	"	"	F	"	676	"
"	"	"	"	G	"	17,082	"

Total of votes capable of transfer	20,040	"
------------------------------------	--------	---

No further preference is shown on	51	"
-----------------------------------	----	---

Total of A's votes	20,091
--------------------	--------

Since 20,040, the total number of votes capable of transfer, exceeds the surplus, only a portion of each sub-parcel can be transferred (Rule 5 (1) (e)).

Ascertain-
ment of pro-
portion to be
transferred
(Rule 5 (1)
(f)).

But each sub-parcel must contribute to the total of votes to be transferred (10,090) in proportion to its size, and the number of votes to be transferred from each sub-parcel must bear the same relation to the total number of votes in the sub-parcel as that which the total number of votes to be transferred (i.e. 10,090, the surplus) bears to the total

number of votes capable of transfer (i.e. 20,040, the number of ballot-papers on which a further available preference has been marked). In other words, the number of votes to be transferred from each sub-parcel is ascertained by multiplying the number of votes in the sub-parcel by 10,090, and dividing the result by 20,040.

The process is as follows (Rule (5) (1) (f)) :—

D's sub-parcel contains 2,181 papers, and his share of the surplus is, therefore :—

$$2,181 \times \frac{10,090}{20,040} \text{ or } 1,098, \frac{237}{2,004} \text{ votes.}$$

E's sub-parcel contains 101 papers, and his share of the surplus is, therefore :—

$$101 \times \frac{10,090}{20,040} \text{ or } 50, \frac{1,709}{2,004} \text{ votes.}$$

F's sub-parcel contains 676 papers, and his share of the surplus is, therefore :—

$$676 \times \frac{10,090}{20,040} \text{ or } 340, \frac{724}{2,004} \text{ votes.}$$

G's sub-parcel contains 17,082 papers, and his share of the surplus is, therefore :—

$$17,082 \times \frac{10,090}{20,040} \text{ or } 8,600, \frac{1,338}{2,004} \text{ votes.}$$

Total, . 10,090 votes.

The numbers of votes to be transferred as determined by the preceding process contain fractions, and, since only whole votes can be transferred, so many of the largest of these fractions as will make the total of whole votes to be transferred equal to the surplus are taken in the order of their magnitude and treated as whole votes. Treatment of fractions in transferring surplus votes (Rule 5 (1) (g)).

Thus the whole votes determined above being only 10,088 (1,098 + 50 + 340 + 8,600) or two short of the surplus 10,090, the two largest fractions,

$$\frac{1,709}{2,004} \text{ and } \frac{1,338}{2,004},$$

are treated as if each was the equivalent of one vote

(Rule 5 (1) (g)), and the surplus votes are transferred as follows :—

To D	.	.	.	.	1,098 votes.
To E	.	.	.	.	51 „
To F	.	.	.	.	340 „
To G	.	.	.	.	8,601 „
Total	.	.	.	.	<u>10,090</u>

Selection of
papers to be
transferred
(Rule 5 (1)
(h)).

The particular voting papers to be transferred to D, E, F, and G are those last filed in their respective sub-parcels, and, therefore, at the top of the sub-parcels (Rule 5 (1) (h)).

These voting papers are added in separate sub-parcels to the 5 parcels of D, E, F, and G (Rule 5 (2)).

Their totals then become :—

D	.	.	.	7,465 + 1,098 =	8,563
E	.	.	.	4,934 + 51 =	4,985
F	.	.	.	3,416 + 340 =	3,756
G	.	.	.	1,579 + 8,601 =	10,180

Quota of
papers of
elected
candidates
set aside
(Rule 5 (3)).

The remainder of the voting papers in the sub-paragraph (i.e. those papers not transferred) together with the papers on which no further available preferences were marked are collected together and formed into one parcel, representing A's quota of votes (10,001), and these papers are set aside as finally dealt with (Rule 5 (3)). The parcel is made up as follows :—

The remainder of D's sub-paragraph	.	1,083 votes.
„ „ E's „	.	50 „
„ „ F's „	.	336 „
„ „ G's „	.	8,481 „
Papers on which no further preferences were marked	.	51
Total	.	<u>10,001</u>

The operations involved in this transfer are summarised in the following table :—

Transfer of A's Surplus.

Number of surplus votes,	.	.	.	.	10,090
Number of papers showing a next preference,	.	.	.	.	20,040
Proportion to be transferred					
Surplus					10,090
=					
Number of papers showing a next preference					<u>20,040</u>

Names of Candidates marked as the next available preference.	Number of Papers.	Number of Papers transferred.	Number of Papers retained for A's Quota.
B	—	—	—
C	—	—	—
D	2,181	1,098	1,083
E	101	51	50
F	676	340	336
G	17,082	8,601	8,481
H	—	—	—
I	—	—	—
K	—	—	—
Total number of papers showing a next preference	20,040	10,090	9,950
Number of papers showing no further preference,	51	—	51
Totals,	20,091	10,090	10,001

The state of the poll on the conclusion of the transfer is as follows :—

State of poll after first transfer.

A	10,001 elected.
G	10,180
B	9,523
C	9,392
D	8,563
E	4,985
F	3,756
H	1,510
I	1,162
K	928

G now has 10,180 votes, a number which is more than the quota. He is accordingly declared elected (Rule 6).

Election of candidate as a result of transfer (Rule 6).

SECOND TRANSFER.

Surplus not
transferred.
in special
cases
(Rule 7 (7)).

G's surplus votes (10,180 less 10,001, or 179) would have to be transferred (Rule 7 (1), were it not for the provision of Rule 7 (7). Under the latter rule wherever the surplus is less than the difference between the two lowest candidates on the poll, and where, therefore, the transfer could not alter the relative position of these two candidates, even if the whole surplus were transferred to the lowest candidate, the process of transferring a surplus is postponed. In this case the difference between I and K, the two lowest candidates, is 1162 less 928, or 234, and therefore it is not necessary to transfer G's surplus.

Transfer of
votes of
candidate
lowest on
the poll
(Rule 8).

The returning officer proceeds to distribute the votes of the candidate with the smallest total (Rule 8).

K's parcel of 928 votes is therefore examined, and is found to contain 469 papers on which C is the next preference, and 459 on which F is the next preference.

Therefore 469 votes are transferred to C and 459 to F.

State of poll
after second
transfer.

The poll now stands as follows :—

A	10,001 elected.
G	10,180 elected.
C	9,861
B	9,523
D	8,563
E	4,985
F	4,215
H	1,510
I	1,162

THIRD TRANSFER.

Transfer in
special
cases of the
votes of the
two lowest
candidates
in one
operation
(Rule 8 (2)).

The poll shows that as a result of the second transfer no further candidate obtained the quota which would entitle him to election, and the next operation has to be determined upon.

The difference between I and H (1,510 less 1,162, *i.e.*, 348) exceeds G's surplus (179), which, therefore, is still allowed to remain untransferred (Rule 7 (7)).

Candidate I is lowest on the poll, and his votes have to be distributed in the same manner as K's (Rule 9). But

as the combined votes of H and I together with G's surplus ($1,510 + 1,162 + 179 = 2,851$), are less than 4,215, the total of F, the next highest candidate, the returning officer avails himself of Rule 8 (2), and distributes the votes of both H and I in one operation.

The papers ($1,510 + 1,162$, or 2,672 in all) in the parcels of H and I are examined in one operation, and it is found that—

B	is marked next preference on	1,409	papers.
C	„ „ „	9	„
D	„ „ „	1,079	„
E	„ „ „	91	„
F	„ „ „	64	„
Papers on which no further preference is marked		20	„
Total,		2,672	

It should be stated that on some papers some or one of the candidates A, G, I, H, and K may have been marked as next in order of preference on the papers examined, but as all these candidates are already either elected or excluded, any papers so marked pass to the other candidates shown as the next available preferences.

The operation is completed by the transfer of 1,409 votes to B, 9 to C, 1,079 to D, 91 to E, and 64 to F, whilst the 20 papers on which no further preferences were marked are set aside as finally dealt with (Rule 8 (1)).

The poll now stands as follows:—

A	.	.	.	.	10,001	elected.
G	.	.	.	.	10,180	„
B	.	.	.	.	10,932	
C	.	.	.	.	9,870	
D	.	.	.	.	9,642	
E	.	.	.	.	5,076	
F	.	.	.	.	4,279	

B now has 10,932 votes, a number which exceeds the quota. He is accordingly declared elected (Rule 8 (3)).

Election of candidates as the result of a transfer (Rule 8 (3)).

FOURTH TRANSFER.

Transfer of surplus votes arising from a previous transfer (Rule 8 (4)).

B's surplus (931) exceeds the difference (797) between E and F, the two candidates lowest on the poll, and it is therefore necessary to distribute it (Rule 8 (4)).

For this purpose only the sub-parcel of votes last transferred, containing 1,409 votes, is taken into account (Rule 7 (1)).

Sub-parcel of votes last transferred examined (Rule 7 (1)).

These are examined and arranged in sub-parcels, in the same manner as A's votes were examined and arranged (Rule 7 (2)), with the following result :—

A next preference is shown for E on 1,351 papers.
No further preference is shown on 58 papers.

The total number of votes capable of transfer (1,351) is thus greater than the surplus (931), and the proportion to be transferred is $\frac{931}{1351}$. But there is only one candidate (E) entitled to participate in the transfer of votes, and so the 931 votes last filed in E's sub-parcel (being the whole of the surplus) are transferred to him.

The remainder of the votes in E's sub-parcel, together with the 58 papers on which no further preferences are shown, are placed with B's original parcel of votes. The whole constitutes B's quota, and these papers are set aside as finally dealt with (Rule 7 (3)).

B's quota is made up as follows :—

Original parcel of votes	9,523
Remainder of E's sub-parcel . . .	420
Papers showing no further preference	58
<hr/>	
Total	10,001

State of poll after fourth transfer.

The poll now stands as follows :—

A	10,001	elected.
G	10,180	„
B	10,001	„
C	9,870	
D	9,642	
E	6,007	
F	4,279	

FIFTH TRANSFER.

No candidate is elected as the result of the transfer, and the next operation has to be determined upon.

G's surplus is still not distributable, being smaller than the difference between E and F, the two lowest candidates (Rule 7 (7)).

F is lowest and his votes have to be distributed (Rule 9).

The votes of
the lowest
candidate
distributed
(Rule 9).

On examination it is found that of F's 4,279 papers, 3,835 show a next preference for C, 315 for D, and the remainder, 129, contain no further preference.

The operation is completed by the transfer of 3,835 votes to C, and of 315 votes to D, whilst the 129 votes showing no further preference are set aside as finally dealt with (Rule 8 (1)).

PUBLIC NOTICE OF THE RESULT OF THE POLL AND OF THE TRANSFER OF VOTES.

Number of valid votes, 60,000
 Number of members to be elected, 5
 Quota (number of votes sufficient to secure election of a candidate), 10,001

Names of Candidates.	Votes.	Transfer of A's Surplus.	Result.	Transfer of K's Votes.	Result.	Transfer of II & I's Votes.	Result.	Transfer of B's Surplus.	Result.	Transfer of F's Votes.	Final Result.
A	20,091	- 10,090	10,001	—	10,001	—	10,001	—	10,001	—	10,001 elected.
B	9,523	—	9,523	—	9,523	+ 1,409	10,932	- 931	10,001	—	10,001 elected.
C	9,392	—	9,392	+ 469	9,861	+ 9	9,870	—	9,870	+ 3,835	13,705 elected.
D	7,465	+ 1,098	8,563	—	8,563	+ 1,079	9,642	—	9,642	+ 315	9,957 elected.
E	4,934	+ 51	4,985	—	4,985	+ 91	5,076	+ 931	6,007	—	6,007
F	3,416	+ 340	3,756	+ 459	4,215	+ 64	4,279	—	4,279	- 4,279	—
G	1,579	+ 8,601	10,180	—	10,180	—	10,180	—	10,180	—	10,180 elected.
H	1,510	—	1,510	—	1,510	- 1,510	—	—	—	—	—
I	1,162	—	1,162	—	1,162	- 1,162	—	—	—	—	—
K	928	—	928	- 928	—	—	—	—	—	—	—
Preferences exhausted,	—	—	—	—	—	+ 20	20	—	20	+ 129	149
Total,	60,000	—	60,000	—	60,000	—	60,000	—	60,000	—	60,000

The poll now stands as follows :—

A	.	.	.	.	10,001	elected.
G	.	.	.	.	10,180	„
B	.	.	.	.	10,001	„
C	.	.	.	.	13,705	
D	.	.	.	.	9,957	
E	.	.	.	.	6,007	

State of poll
after fifth
transfer.

C has now 13,705 votes—a number which exceeds the quota, and he is accordingly declared elected (Rule 8 (3)).

No further distribution of votes is necessary, for, even if all C's surplus votes (3,704) and all G's surplus votes (179) were transferred to E, his total would only amount to 9,890.

Candidate
elected as a
result of
transfer
(Rule 8 (3)).
Filling the
last vacancy
(Rule 10 (2)).

But D's votes (9,957) exceed this total and he is therefore declared elected (Rule 10 (2)).

The final result is that A, G, B, C, and D are elected.

Final result.

The details of the distribution of votes in this example are shown in the accompanying result sheet (Rule 12).







Result sheet
(Rule 12).

THE THIRD SCHEDULE.

FORM OF FRONT OF BALLOT-PAPER.

Counterfoil No.

Note.—The counterfoil is to have a number to correspond with that on the back of the ballot-paper.

	BROWN (John Brown, of 52, George's Street, Bristol, Merchant).	
	JONES (William David Jones, of 10, Charles Street, Bristol, Merchant).	
	ROBERTSON (Henry Robertson, of 8, John Street, Bristol, Butcher).	
	WILLIAMS (James Williams, of 5, William Street, Bristol, Dock Labourer).	
	THOMAS (Walter Thomas, of 23, Anne Street, Bristol, Painter).	
	MACINNES (Robert MacInnes, of 16, James's Street, Bristol, Licensed Victual- ler).	

N.B.—Vote by placing the figure 1 in the square opposite the name of the candidate for whom you vote. You may also place the figure 2, or the figures 2 and 3, or 2, 3, and 4, and so on, in the squares opposite the names of other candidates in the order of your preference for them.

Form of Directions for the guidance of the Voter in voting, which shall be printed in conspicuous characters, and placarded outside every Polling-Station and in every compartment of a Polling-Station.

The voter will go into one of the compartments and with the pencil provided there mark his ballot-paper by

writing the number 1 opposite the name of the candidate for whom he votes. He may also write the figures 2, 3, and so on, in accordance with the order of his choice or preference opposite the names of other candidates (that is to say) :—

He must write 1 in the square space opposite the name of the candidate for whom he votes.

He may also write 2 in the square space opposite the name of the candidate he likes second best, and 3 in the square space opposite the name of the candidate he likes third best.

And so on.

If the voter does not mark the figure 1 on his ballot-paper, or marks the figure 1 opposite more than one name, or marks the figure 1 and some other figure opposite the same name, or places any mark on the paper by which he may be identified, his ballot-paper will be invalid and will not be counted.

After marking the ballot-paper, the voter will fold up the ballot-paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the presiding officer, and then in the presence of the presiding officer, put the paper into the ballot-box and forthwith quit the polling-station.

If the voter inadvertently spoils a ballot-paper, he can return it to the officer, who will, if satisfied of such inadvertence, give him another paper.

If the voter takes the ballot-paper out of the polling-station or deposits in the ballot-box any other paper than the one given him by the officer, he will be guilty of a misdemeanour, and be subject to imprisonment for any term not exceeding six months, with or without hard labour.

APPENDIX D.

RULES FOR THE DISTRIBUTION OF SEATS, FOR THE TRANSFER OF VOTES, AND FOR ASCERTAINING THE RESULT OF THE POLL, UNDER THE MODIFICATION OF THE BELGIAN SYSTEM RECOMMENDED FOR ADOPTION.

1. After the ballot papers have been mixed, in accordance with the rules contained in the First Schedule to the Ballot Act, 1872, the returning officer shall draw out all ballot papers which he does not reject as invalid and file in a separate parcel those on which a cross is set in one of the squares belonging to the same list.

2. The returning officer shall then count the number of papers in the parcel of each list (herein called the "list total" of each list respectively), and ascertain the total number of valid votes, and shall also ascertain the combined total, in each case, of the list totals of all lists that are to be grouped (which combined total is herein called the "group total" of each group respectively).

3. The returning officer shall then divide the total number of valid papers by a number exceeding by one the number of vacancies to be filled, and the result increased by one, disregarding any fractional remainder, shall be the number of votes (herein called the "quota") sufficient to entitle any separate list or group of lists to one seat.

4. The returning officer shall then distribute the seats by allotting to each separate list and to each group of lists one seat for every quota contained in the list total or group total respectively, but if no list total or group total is equal to the quota the seats shall at once be allotted to the separate lists and groups of lists in the order of the magnitude of their list totals or group totals respectively.

5. If the number of seats allotted under the last preceding rule shall not equal the number of vacancies to be filled, the unallotted seats shall be allotted in accordance with the following regulations :—

(a) The returning officer shall deduct from each group total or list total the quota or quotas, if any, in respect of which seats have been allotted, and the group totals or list totals remaining after such deduction, if any, (herein called the continuing totals,) shall compete for the unallotted seat or seats.

(b) If only one seat is to be allotted, it shall be allotted to the list or group of lists that has the largest continuing total.

(c) If more than one seat is to be allotted, then the continuing totals shall be regarded as if they were original totals between which the seats to be allotted had to be distributed, and a new quota determined according to the method prescribed in Rule 3, (the sum of the continuing totals taking the place of the total number of valid voting papers,) and the seats to be allotted shall be allotted to the separate lists and groups of lists in respect of such continuing totals in accordance with this and the preceding rule; continuing totals, should such again arise, being again, in accordance with this regulation, regarded as original totals whenever more than one seat remains to be allotted, and so on until all the seats are allotted.

(d) If at any stage a separate list or group of lists becomes entitled to one or more seats more than it has candidates, it shall then only be allotted as many seats as it has candidates, and its total shall not be considered as a continuing total; and such one or more seats shall be allotted among the continuing totals in accordance with the preceding regulations of this rule as a seat or seats remaining unallotted.

6. When any seats have been allotted to a group of lists, they shall be distributed between the lists constituting that group by allotting them in the same manner in which they would be allotted to those lists, under the preceding

rules, if they were the only seats to be allotted, and the lists constituting that group the only lists to be considered in the election.

7. When all the seats to be allotted have been allotted to the several lists respectively, the returning officer shall take the parcel of papers belonging to the list having the largest total, and shall file in separate sub-parcels all papers having a cross in the square at the top of that list and all papers having a cross in the square opposite the name of the same candidate, and shall count the number of votes in each sub-parcel. He shall then ascertain the candidates to be returned from the list, and declare such candidates elected, in accordance with the following regulations:—

(a) The returning officer shall divide the list total by the number of seats allotted to the list and the result, disregarding any fractional remainder, (herein called the list quotient), shall be the number of votes sufficient to secure the return of any candidate on the list.

(b) The returning officer shall forthwith declare any candidate elected who has a number of votes equal to or greater than the list quotient.

(c) The returning officer shall then transfer the votes at the top of the list to the continuing candidate standing highest on the list.

(d) If, as the result of the transfer in the preceding regulation mentioned, the continuing candidate standing highest on the list shall obtain a number of votes in excess of the list quotient, his surplus shall be transferred to the continuing candidate standing next highest on the list; and should the latter similarly obtain a surplus, it shall similarly be transferred to the next continuing candidate on the list, and so on as long as any candidate shall obtain a surplus by means of a transfer of votes transferred originally from the top of the list.

(e) The returning officer shall then declare elected any candidates who have obtained a number of votes equal to the list quotient by means of the transfers in the two preceding regulations mentioned.

(f) The returning officer shall then distribute the surplus votes of any candidate declared elected under regulation (b) hereof, by dividing the same equally, as far as possible, between the continuing candidates, and if any such surplus votes shall remain after such equal division one shall be given to the continuing candidate having the greatest number of votes, and, if there shall be more than one such surplus votes remaining after such equal division, another shall be given to the continuing candidate having the next greatest number of votes, and so on until all such surplus votes have been distributed; provided always that as between two or more continuing candidates having an equal number of votes a candidate standing higher on the list shall, for the purpose of this regulation, be regarded as having a greater number of votes than one standing lower.

(g) Any candidate who, as the result of a transfer of votes under the preceding regulation, shall obtain a number of votes equal to or greater than the list quotient shall forthwith be declared elected, and his surplus votes, if any, shall, on the completion of the transfers directed by the preceding regulation, be transferred in the same manner as surplus votes transferred under the preceding regulation, and so on until all surplus votes have been transferred.

(h) When all surplus votes, if any, shall have been distributed, if the number of candidates declared elected shall be less than the number of seats allotted to the list, the candidate having the least number of votes shall be eliminated, and his votes shall be transferred in the manner following, that is to say, first, any votes transferred to him from the top of the list shall be dealt with in the same manner as surplus votes transferred from the top of the list were dealt with under regulations (c) and (d) hereof, and regulation (e) hereof shall apply; and, second, all other votes of such eliminated candidate shall be dealt with in the same manner as surplus votes under regulations (f) and (g) hereof; provided always that as between two candidates having an equal number of votes a candidate standing lower on the list shall, for the purpose of this regulation, be regarded as having less votes than a candidate standing higher.

(i) The returning officer shall continue to apply the preceding regulation until the number of candidates on the list declared elected shall be equal to the number of seats allotted to the list.

(j) At any time after the application of regulation (e) hereof the returning officer may declare a sufficient number of the continuing candidates elected to dispose of all seats allotted to the list by declaring those elected in order who have the greatest number of votes, and eliminating the others, unless one of the continuing candidates who would be eliminated under this provision shall have votes transferred to him from the top of the list, which votes, on his elimination, would be transferable to another continuing candidate who would be eliminated under this provision, and, if transferred to him, would give him a greater number of votes than one of the continuing candidates who would be declared elected under this provision.

(k) The expression "continuing candidate" means a candidate not already declared elected or eliminated from the poll.

8. The returning officer shall then take the parcel of papers belonging to the list having the second largest total, if any seat shall have been allotted to that list, and shall deal with them in the same manner as those of the list having the largest total, and shall ascertain the candidates to be returned from the list, and declare such candidates elected, in accordance with the regulations prescribed in the preceding rule; and so on in order with each list to which a seat has been allotted.

EXAMPLE OF AN ELECTION CONDUCTED ON THE SYSTEM OF PROPORTIONAL REPRESENTATION SET OUT ABOVE.

Let it be assumed that there are five members to be elected, and that there are four lists, A, B, C, D, and that lists A and B are to be grouped.

The valid papers are drawn from the general heap of ballot-papers, and arranged in separate parcels according to the list on which a vote is recorded.

Each separate parcel is counted, and the total of all the valid votes is ascertained.

The result of the count may be supposed to be as follows :—

List A,	23,500	}	32,000
List B,	8,500		
List C,			19,100
List D,			8,900
Total, . .			<hr/> 60,000

It is found that the total of all the valid votes is 60,000. This total is divided by six (i.e. the number which exceeds by one the number of vacancies to be filled), and 10,001 (i.e. the quotient 10,000, increased by one) is the "quota," or number of votes sufficient to entitle the group A and B or the lists C and D to one seat.

The group A and B has three quotas with a remainder of 1,997. The list C has one quota with a remainder of 9,099, and list D has failed to obtain a quota. Three seats are accordingly allotted to the group A and B, and one seat to list C, and the continuing totals 1,997, 9,099, and 8,900 compete for the remaining seat. As there is only one more seat to be allotted, it goes to the largest continuing total, viz., 9,099, with the result that list C obtains a second seat.

(Had there been two unallotted seats instead of one, then the continuing totals would have been added together and divided by three, and the result increased by one, viz., 6,666 would have formed a new quota which would have been obtained by lists C and D. Both these lists would then have obtained one seat more.)

The three seats allotted to the group A and B have now to be divided between lists A and B. The total of the votes of the group has accordingly to be divided by four, and the result increased by one, viz., 8,001 forms the group quota. List A obtains two of these quotas, and list B one, so that the former list obtains two seats, and the latter one, which disposes of the three seats.

The final result of the allotment of seats to the several lists accordingly is :—

List A,	.	.	.	.	Two seats.
List B,	.	.	.	.	One seat.
List C,	.	.	.	.	Two seats.

List A is then dealt with first. All papers on which votes are recorded at the top of the list, and all papers on which votes are recorded for the same candidate, are then filed in separate sub-parcels. The list total is then divided by the number of seats allotted to the list, and the result, namely, 11,750, forms the list quotient. The number of votes in each sub-parcel is then counted. We may suppose that there are five candidates on the list, L, M, N, O, P, and that the result of the count is as follows:—

LIST A.

Votes at the top of the list,	.	8,000
Preferential votes for L,	.	6,000
„ „ „ M,	.	3,000
„ „ „ N,	.	5,500
„ „ „ O,	.	750
„ „ „ P,	.	250

The votes at the top of the list are transferred to L, who thus obtains more than a list quotient, and is accordingly declared elected. His surplus, since it consists of votes which came from the top of the list, is transferred to M, who then has 5,250 votes. The second seat is at once given to N, under rule 7 (*j*), since he is the continuing candidate with most votes, and the top-of-the-list votes which were transferred to M would, on M's elimination, be transferable to him (besides the fact that, in any event, they would be insufficient to put either O or P ahead of him).

List C is then dealt with similarly. The list quotient is ascertained to be 9,550, and the result of the count may be supposed to be as follows:—

LIST C.

Votes at the top of the list,	.	3,200
Preferential votes for S,	.	6,500
„ „ „ T,	.	1,300
„ „ „ U,	.	4,000
„ „ „ V,	.	4,100

The votes at the top of the list are transferred to S, who, having thus obtained the list quotient, is declared elected.

His surplus is transferred to T, since it consisted of votes that were transferred from the top of the list, and the three continuing candidates have, accordingly—T, 1450 votes; U, 4,000 votes, and V, 4,100 votes. V has thus most votes, but the second seat cannot be given to him, because T has 150 votes which came from the top of the list, and they are transferable to U, and would put U ahead of V. Accordingly T must be eliminated and his 150 top-of-the-list votes must be transferred to U. U is then at once declared elected under rule 7 (j).

List B alone remains to be dealt with. The list quotient is in this case the same as the list total. The result of the count may be supposed to be as follows:—

LIST B.

Votes at the top of the list,	.	6,000
Preferential votes for Q,	.	1,500
„ „ „ R,	.	1,000

The top-of-the-list votes are transferred to Q, who is at once declared elected under the provisions of rule 7 (j).

The final result is that L, N, S, U, and Q are elected.

FORM OF FRONT OF BALLOT PAPER.

LIST A (to be grouped with List B).




Counterfoil No.

Note.—The Counterfoil is to have a number to correspond with that on the back of the ballot-paper.









	O'Toole, Patrick.
	O'Dempsey, John.
	O'Hare, James.
	O'Brien, Michael.
	Fitzpatrick, Daniel.



LIST B (to be grouped with List A.)

		
		Egan, Patrick Joseph.
		Murphy, Patrick.

LIST C.

		
		Brown, Thomas.
		Thompson, Alexander.
		Carlyle, Robert.
		Wallace, Samuel.
		Sinclair, David.

LIST D.

		
		Nugent, Horace.

N.B.—Vote by placing a × either in the square at the top of one of the lists, or in the square opposite the name of one of the candidates. A × in the square at the top of a list indicates approval of the candidates on that list in the order in which they appear on that list: a × opposite the name of a candidate indicates a preference for that candidate and a general approval of the other candidates on the list on which his name appears.

INDEX.

- ASTON, E. A.: on urban and rural representation in Ireland, 32, *n.* 1.
- BARGAINS: corrupt, how far promoted by allowing lists to group, 80, 81.
- BELGIAN SYSTEM: counting of votes easy and expeditious under, 7; modification of, by use of single transferable vote for determining candidates to be selected from lists, 7, 103-113, 115-118; simplicity of, 36, 37; mode of election under, 37-43; principle of, defended, 47; R. C. criticisms of, 48-55.
- BELGIUM: introduction of P. R. into Belgium, effect of, 34; recent experience in, 109, *n.*; 120-122.
- BIRRELL, RT. HON. AUGUSTINE: on urban and rural representation in Ireland, 32, *n.*
- BY-ELECTIONS: a difficulty for the single transferable vote, 123, 124.
- CAUCUS: power of, under P. R., 71-80; under single transferable vote, 108-113.
- COMMONS, PROFESSOR: explanation of term "gerrymander," p. 30, *n.*; criticism of Hare system, 100, *n.*
- CONSTITUENCIES: size of, for application of single transferable vote, 12, 13; urban and rural, representation of, in Ireland, 30-32; relation between member and, 33.
- CORBETT, J. ROOKE: analysis of election results, 20, 125.
- COURTNEY, LORD: Proportional Representation Society of Ireland founded by, 5; misleading statements by, 5; member of caucus, 112.
- DOBBS, A. E.: hybrid system of P. R. invented by, 44-47.
Belgian system more logical than that of, 47.

ENGLISH IDEAS: elasticity of, 49, 54; party voting jars on, 59, *cf.* 50.

FRENCH SYSTEM: described, 59-68; not open for adoption in Government of Ireland Bill, 59; criticisms of, 68-82.

GERRYMANDER: explanation and origin of term, 30, *n.*

GROUPING: effect of, under list systems, 64; how far it promotes corrupt bargaining, 80-81; advantages of, 114-115.

GROVE, W. H.: system of P. R. introduced by, 45.

HARE: invented single transferable vote, 5, 56; his system only theoretically sound under unworkable conditions; criticism of, by Professor Commons; 100, *n.*; fundamental principle of his system leads to lists once the size of constituencies is reduced, 106.

HUMPHREYS, JOHN H.: advocacy of the single transferable vote as an all-red system by, 5; on effect of P. R. on party organization, 76-77; on voting on an opponent's list, 97.

INDEPENDENT MEMBER: might, according to R. C. Report, upset balance of parties, 15, 16, 17, 18; according to R. C. Report an invaluable element, 17; return of, by late preferences, 19.

IRELAND: conditions and circumstances in, peculiarly favourable to adoption of proportional representation, 28-35; changes in political map, only gradual, 34.

LECKY: his estimate of the British nation, 82, *n.*

LIST SYSTEM: (*see* BELGIAN SYSTEM, FRENCH SYSTEM), and distinguishing feature of, 4, 59; comes within the provisions of the Government of Ireland Bill, if it gives the elector one transferable vote, 5; advantages of, 103-113.

MAJORITIES: size of, under proportional representation, 15; artificial exaggeration of, 17-20, 25; value of, at elections, 125-128.

MILL, JOHN STUART: supported the single transferable vote, 5, 8.

MINORITY: representation of, by majority in different constituency, 33; interest of, best promoted by the extreme systems which either represent minorities faithfully or give them no representation at all, 81, *n.*

MIRABEAU: his statement that a representative assembly should be "a reduced map" of the country in its political aspect, 8, 9.

MODEL ELECTION: size of constituencies adopted for, 13; of 1912, result of, analysis of, 60-62; result-sheet of, 130.

PANACHAGE: single transferable vote encourages, 97.

PARLIAMENT: election of best men for, irrespective of political opinions, 100-102, *cf.* xv.

PIESSE, MR.: criticisms of the single transferable vote in Tasmania, by, 6.

PREFERENCES: effect of late, 97-100; unreal, 97, 98.

PROPORTIONAL REPRESENTATION: system that would entirely exclude, ix, *cf.* 81, *n.*; theoretically perfect system of, impracticable, x, xi, xii; under Government of Ireland Bill, 1-7; election of Senate on principle of, 1; election of members of the Irish House of Commons on principle of, in constituencies returning three or more members, 2; systems of, xii, xiii, 3, 4; what systems of, come within provisions of Government of Ireland Bill, 4, 5, 36-58: case for, in Ireland, 8, 35; principle of theoretical arguments in favour of, unanswerable, 6; bearing of practical considerations on problems of, 11 *et seq.*; size of majorities under, 15; circumstances and conditions under which Royal Commission held that the adoption of, might become inevitable, 25-28; application of, to Ireland, conditions favourable for, 28-35; an existing evil due to absence of, 33; especially desirable where there are religious differences, 33, 34; introduction of, into Belgium, effect of, 34; would make the Irish Parliament a Parliament of the minority as well as of the majority, 35; complexity of, from point of view of elector and returning officer, different, 36; power of caucus, how far effected by, 71-80; favours bargaining, 81, *n.*; minorities best served either by a system that secures their full representation or by one that does not give them any representation at all, 81, *n.*; advocated by Mr. Lecky, 82, *n.*

PROPORTIONAL REPRESENTATION SOCIETY: of Ireland, founded by Lord Courtney, 5; conference with Young Ireland Branch, U. I. L., 92, *n.*; run by caucus, 112.

QUOTA : Droop, 36, 113 ; d'Hordt, 38, 113.

REPORT OF ROYAL COMMISSION : references to Belgian system in, 7, 36, 37 ; references to standpoint of single-member system, 9, 10, 11 ; emphasis on importance of personal connexion between member and constituency, 11 ; remarks on proper size of constituency for application of single transferable vote, 12, 13 ; "Argument against the Proposal," 13-24 ; remarks on necessity for effective demand for reform, 14 ; argument in favour of single transferable vote, 22 ; reservations in, 25-28 ; on effect of P. R. where religious differences exist, 33, 34 ; criticisms of Belgian system in, 48-55 ; held that single transferable vote is not properly a system of P. R., 56-58 ; references to order of elimination of candidates under single transferable vote, 93, *n*.

RULES : for single transferable vote, 132-139 ; for modification of Belgian system recommended, 152-156.

SEATS : distribution of, between lists, under Belgian system, 39-41, 113 ; under the French system, 65, *n*. ; according to method approved by the writer, 65-68.

SENATE : election of, on principle of proportional representation, provision for, in Government of Ireland Bill, 1 ; constituencies for, too large for unmodified single transferable vote system, 7.

SINGLE TRANSFERABLE VOTE : distinguishing features of, 4, 83 ; practically confined to two English-speaking countries, South Africa and Tasmania, 5 ; invented by Hare, 5 ; supported as an all-red system for the British Empire, 5 ; abandoned in the Transvaal, 6 ; criticized in Tasmania, 6 ; criticisms of system in R. C. Report, 13-24 ; difficulty of indicating a number of preferences, 23, 97, 98 ; increased expense under, 23 ; not properly a system of proportional representation, 56-58 ; described by Report of R. C., 56 ; late preferences, effect of, under, 57, 97-100 ; a sound system where duties of elected body primarily administrative, 58 ; element of chance involved in, 69, 85-90 ; value of late preferences, 70 ; problematic for whom a vote counts under, 71 ; favours cranks, 71 ; power of caucus under, 76-78, 108-113 ; system described, 83-87 ; distribution of largest surplus, 86, 90-92 ; order of elimination of candidates, under, 92, 93, 105 ;

exhausted preferences, 93-95: not a theoretically perfect system, 95; standpoint of, unsound, 95, 96; unduly favours middle parties, 95, 90; *cf.* 107, 108; encourages *panachage*, 97; encourages the marking of unreal preferences, 97, 98, 107; involves an attack on party government, 100, 101; *cf.* xv; theoretical unsoundness of, due to necessary modification of Hare's scheme, 106; alleged freedom under, unreal, 107, *cf.* xv; only sound where persons more important than parties, 115; as a method of determining the priority of candidates on the same list, 115-117; by-elections a difficulty for, 123, 124; rules for, 132-139; example of an election on, 139-149.

SINGLE-MEMBER SYSTEM: is an inadequate system of P. R., x; indefensible, 9; assumptions on which it rests, 9-11; confined to English-speaking countries, 21; inapplicable to existing distinctions of party, 22; assumptions on which it rests unwarranted in case of Ireland, 29.

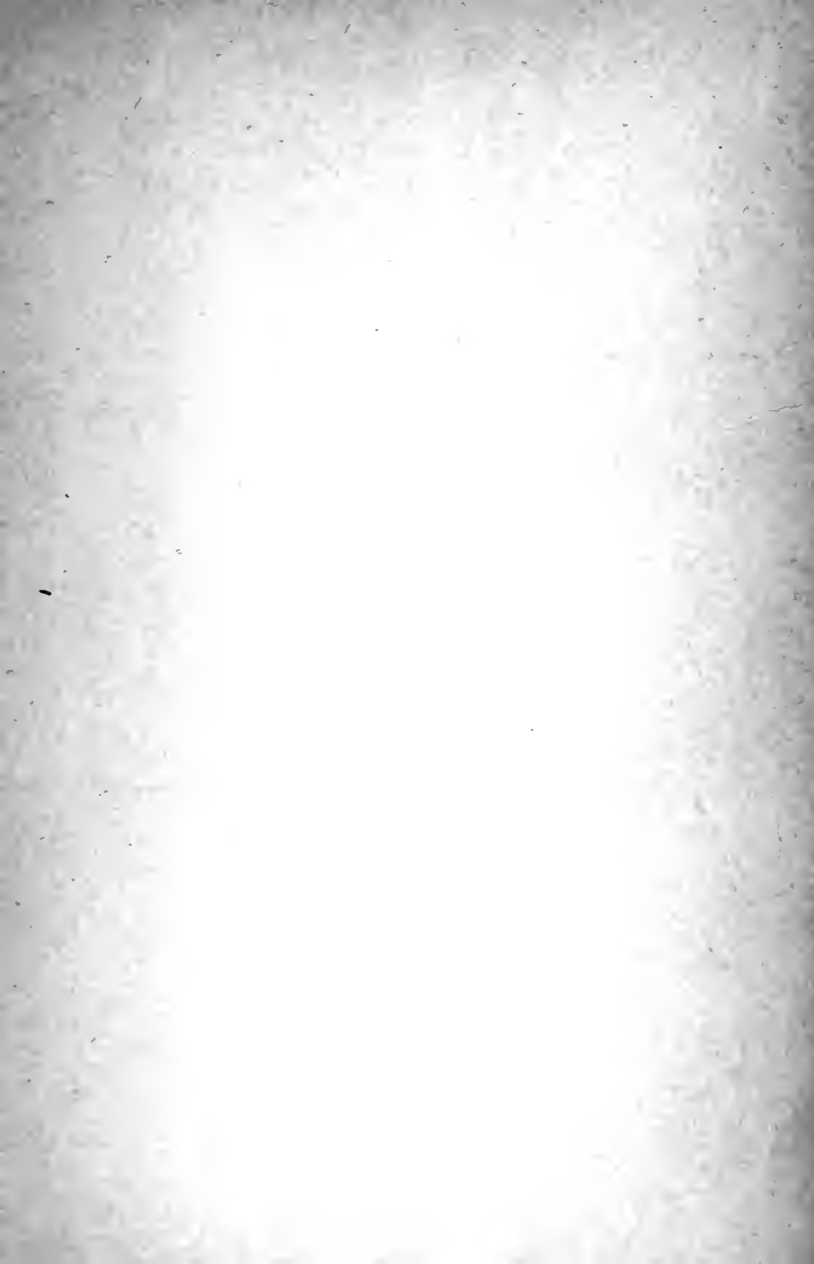
SYSTEM (*see* PROPORTIONAL REPRESENTATION, SINGLE TRANSFERABLE VOTE, LIST SYSTEM): present electoral (*see* SINGLE-MEMBER SYSTEM); comparison of different, 103-124.

TICINO: effective demand for proportional representation by the Swiss canton of, 26, 30.

WARE, Professor: origin of word "gerrymander," 31, *n.*



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